Tros Tyriusque mihi nullo discrimine agetur

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Apéritif

Men of War

NEWSPAPER syndication of General Pershing's war memoirs revives memories of the Wood-Pershing quarrel, itself reminiscent — save that Wood never talked about it — of the Spanish War controversy between Admirals Schley and Sampson. Few people know the facts of the final break between these two World War commanders.

Pershing, on his arrival overseas, was humanly none too pleased when French officers persistently asked him:

"And how soon will the great Wood be sent here?"

More. "Black Jack" evinced no delight when Wood, once arrived, had the good luck to be wounded at the French front.

Woodrow Wilson had finally agreed to tolerate the potential presidential candidate's visit to France, so long as it was made in the rôle of a mere military observer; Wood was to write a report on the A. E. F. for Dr. Wilson — a marvel of research which, when accomplished, Wilson refused to read. From the A. E. F.'s G. H. Q. at Chaumont, the wires were soon reported "red hot with appeals for Wood's recall," and that recall was speedily ordered.

On the night before his departure, Wood came to Chaumont and paid his official respects to Pershing. Next morning, Wood waited on the station platform for the train that was to bear him to the port of departure — assumed that Pershing, of course, would come in person to bid an official goodbye.

But Pershing didn't. The train was made up; Wood thought he had better not get aboard before Pershing appeared: it was more polite to wait outside. The scheduled hour came — not the A. E. F.'s commander. Still Wood waited. The hour passed, and Wood waited.

After fifteen minutes more there reached the station, not Pershing, but one of his aides. The story continues:

Salute!

Salute!

"General Pershing's compliments, sir. He regrets his inability to deliver them in person, but sends word that he took a dose of calomel at bedtime last night and feels he had better not venture out of doors this morning."

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Our Private Museum

SOME years ago we read about a collection that Joe Cook, famous comedian, had got together. This was of objects no larger than a human hand, and he had a whole room full — thousands of them, hanging by strings from the ceiling.

Now we have an idea along somewhat similar lines, but harder to carry out. We want a collection of Objects No More Painful Than a Poke in the Eye. And the particular ones we have our hearts set on at this moment are the Wickersham Report and the letter that Robert Lucas wrote.

Tom Moore, most esteemed of our Special Suspectors, opines that that poke would certes have to be painful, and no mistake.

Timeo Danaos . . .

THE elder John D. Rockefeller has given more money to the League of Nations than many of the governments composing that organization — at least the Rockefeller Foundation has. Mr. Rockefeller heartily sympathizes with the ideals of the League, especially with its medical researches, its welfare-work — and then there is that League Library building, which is to owe its existence to the Foundation. All the gifts connected with such League activities have been duly recorded in the press. Recently, however, Mr. Rockefeller made a personal contribution that has thus far escaped the news-gatherers' eyes.

Mr. Arthur Sweetser is almost the sole remaining American officially connected with the League's Secretariat, being both assistant director of its Information Section and quite the best — indeed, the only — planter, grower and harvester of American financial contributions to this Wilsonian association. He has frequently called on Mr. Rockefeller, and never departed empty-handed; but at the end of Mr. Sweetser's latest call upon the famous financier, the latter handed his visitor something new. It was a neat card whereon was printed the following, apparently emanating from Mr. Rockefeller's own pen:

I was early taught to work as well as play;
My life has been one long, happy holiday —
Full of work, and full of play —
I dropped my worry on the way —
And God was good to me every day.

John D. Rockefeller.

Moil

THERE was some trouble a while ago between the movie actor, Tom Mix, and a circus which thought he had agreed to perform in it. Tom, it transpired, had agreed, but only on condition that he would be provided with travelling accommodations suitable for two horses, a Rolls Royce and an entourage of seven, besides a private car for himself. His reported comment in court was: "I am not afraid of work, but I must have my comforts."

Our whale, Emma, considered this silently for a few minutes, then looked up with a certain brightness in her eye and remarked: "Simple fellow, Tom Mix — primitive. Now take me. *I'm* not afraid of comforts, but I must have my *work*." And snickered, the reprobate.

Emma's work — life work, she calls it — is collecting early aphor-

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isms of Henry Ford. And you may think what you like about that.

Sweet Civilities of Life

A GOODLY amount of conversation nowadays is taken up with the contention that there is none worthy of the name. People write sadly or bitterly about it, publishers advertise culture in fifteen minutes a day as a remedy; and the world, of course, goes on talking.

Not so long ago it began to worry us. Was the stuff issuing from our mouths conversation? We considered, and in the end reluctantly had to admit that it was not, at best, very high grade conversation. From this it was but a step to high resolve.

Secreting ourselves at home for several days, we culled a number of opinions about Life from the works of wise men, memorized them and sauntered forth to try the result. Our first opportunity came almost at once.

Going down into the subway, we saw a man who had been following us slip on the stairs and tumble headlong, bouncing and rolling past our legs. With what seemed miraculous fitness, there popped into our heads a quotation from John Gay, and as the gentleman hurtled by we spoke it out — rapidly, so that he would miss none:

"Life is a jest, and all things show it;
I thought so once, but now I know it."

When we reached the bottom of the stairway, warm in the consciousness of culture, this gentleman stepped up and without the slightest hesitation punched us in the eye. So much for that.

Safely in our office, we thought: this essay was trivial, untimely. At luncheon would be a better time. Then there could be a flow of talk, "flowers and stars," real discourse. So when noon came we betook ourselves around the corner to the Princeton Club and seated ourselves at a large table where many members could congregate.

Across the way was a beefy gentleman entertaining an expression of anger and describing with great vehemence some operations of his on the Stock Exchange, which had met with indifferent success. Much of the embellishment of his narrative consisted in adjectives unsuited to sober print. What he needed, obviously, was some grave philosophical counsel. So we intoned:

"O thou child of many prayers!
Life hath quicksands; life hath snares!"

Alas! We had thought to turn the conversation, direct it into higher channels, but what happened? — It stopped, utterly stopped. Not another word was spoken, and the gentlemen about us, after most startled glances in our direction, hastily completed their repasts and departed.

Sadly muttering, "The dreary intercourse of daily life," we made our way back to the office, and found Emma sulking over one of Henry Ford's early aphorisms, in which she could find no significance. Here was one last chance. We pondered: what counsel would aid her? Ventured at last:

"Small sands the mountain, moments make
the year,
And trifles life."

With infinite deliberation she turned her massive head till our eyes met; her eighteen-foot lip curled; she snorted.

"Do you know what I think of

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you?" she asked through gritted teeth — and answered: "You're like the man in your sister's story — so subtle that he didn't know himself what he meant!"

Whereat we gave up for good, retiring with a sepulchral:

"O life, thou art a galling load,
Along a rough, a weary road —."

Serum for Fun

THERE has always been a particularly warm spot reserved in our hearts for practical jokers, and when we noticed in the dispatches from Chicago that some bold laugher-up-his-sleeve had spiked the punch for a W. C. T. U. meeting, the spot really glowed.

Moreover, this started us thinking about the whole question of practical jokes, and eventually brought us to the conclusion that they are in a sad condition of desuetude, that new and original ones are needed. We have started word to this effect going the rounds and already received a telegram from one Donald Marcy Beals, whose name we are unable to find in *Who's Who*, suggesting a joke which may some day have great popularity.

It originates in a book Mr. Brickell reviews this month in *The Literary Landscape*, George S. Schuyler's *Black No More*, whose thesis is the discovery by someone of a serum that will turn Negroes white. Mr. Beals's suggestion is that it would be much more fun to find one that would turn white men black. "Think," he wires (at our expense), "what merry April firsts we'd have. Our friends rushing to the mirror first thing in the morning, wondering, wondering . . ."

Heliotherapy

SUN-BATHING has always held an odd, almost inexplicable fascination for us. For instance, when there are sun-bathers about we find ourselves drawn unconsciously toward them, and feel the most æsthetic pleasure watching them. And every time some moral league or shore town police chief with an eye on the newspapers goes after sun-bathers, we get extremely annoyed.

But as a matter of fact, no one pays very much attention to them any more. The practice gains favor steadily and quietly. People take off their clothes and lie around without ostentation or defiance; sincerely believing, it is apparent, that their health is the only thing to think of.

However, by diligent, arduous research into medical opinion (*via* Encyc. Brit.) we discover this about sun-bathing: that for stimulating blood cells to resist disease, exposure of part of the anatomy is just as effective as exposure of the whole anatomy. That is to say, if you happen to look out of a window near Times Square or elsewhere and see an undraped chorus beauty atop some building lower than yours, you might do your good deed for that day by calling: "Hey, lady! You don't have to be nude to get the full benefit of heliotherapy. Just keep your arm uncovered." W. A. D.

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Scapegoats Old and New

By Joseph Stagg Lawrence

"And Aaron shall lay both his hands upon the head of the live goat, and confess over him all the iniquities of the children of Israel, and all their transgressions in all their sins, putting them upon the head of the goat, and shall send him away by the hand of a fit man into the wilderness"

Of the precious heritage transmitted by the ancient Hebrews there is no part for which human nature, particularly in its political manifestations, is so profoundly grateful as the device of the scapegoat. In some instances the ancient ceremonial is retained in all its primitive crudity. At one of our Eastern universities a shaggy mascot presides over the autumnal football fortunes of the great seat of light. If at the end of the game an unfavorable balance confronts the team, this guardian of the grid has proved remiss in his duties and is summarily packed off to the *abattoir*.

No institution so valuable as the scapegoat can function for five thousand years without developing refinements. Only today the masterly Mussolini rose in the sacred temple, donned the priestly robes of Aaron and, scanning the horizon as only *Il Duce* can, chose the object upon whose head all the transgressions and all the sins of Italy could be placed.

The land of the Cæsars has been suffering from a low pulse-beat and an ailment which unsympathetic observers have diagnosed as a hardening of dictatorial arteries. Now it is an axiom of higher Italian mathematics that Mussolini is equal to all emergencies. By peremptory ukase he lowers wages 12 per cent. He plays eight Ministerial parts at the same time, and in his spare moments amazes an ardent and reverent public by giving a master swordsman an extemporaneous lesson in the manly art of flashing steel. (The incident was carefully reported.)

Thus the political head of the Italian State stands revealed as a modern counterpart of Colbert, D'Artagnan, Richelieu and Patrick Henry. In spite of such a precious and efficient natural resource, Italy's spirit is in the gutter. She has a certain dull, nauseous feeling. There is serious unemployment. Foreign trade has fallen off. The silent stacks

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of idle plants rear uncouth heads into a dismal industrial sky. The *Fisc* is in difficulties. What to do? What to do?

However, this is merely another emergency to which Mussolini proves himself equal. The Italian Aaron leads forth a live goat. Behold, it wears the Stars and Stripes. "This creature," says he, "has brought black days upon us. The Yankees indulged in a prolonged speculative spree. We were just getting on our feet when they disappeared under the table. We have not been the same since the Ides of October and November — from those days we were plunged into rough seas and ever since navigation has been difficult for us."

Confessing a profound disillusionment he continues: "We had been told that there was a country with indefinite, absolute prosperity, without eclipse. All were rich. There was an automobile for every eight inhabitants, a radio for every four, a telephone for every three. Every one speculated on the stock market. Stocks always went upward. Every one bought stock at 20, sold at 100, and, paying on the installment plan, purchased an automobile or radio or telephone, made a voyage to Europe, or perhaps built a house in the suburbs. All was marvellous and fantastic. At a certain point the scene changed. There was a series of black days. Stocks went down 20, 30, and 50 per cent, etc." The tearful tale is unfolded with Gascon gusto.

Now just what is the connection between the American stock market taking the count and the sad state of Italy? In some manner, which the Premier does not make clear, a healthy treasury surplus of 65,000,000 lire was suddenly turned into a deficit of 900,000,000 lire. The cyclical affliction from which Italy is suffering is due entirely to a series of bungling indiscretions in the great Republic of the West. Exit goat and prophet for an indefinite trip into the wilderness.

The scene shifts. We are in Moscow. Here are the controls of that mighty engine of Utopian economics built on the specifications of Karl Marx. There is a troubled frown upon the features of the engineers. An unearthly, clamorous discord emerges from the mechanical bowels of the monster. Has a careless mechanic dropped his tool-kit down the creature's sensitive gullet? The throttles are opened. More fuel is rushed in. The grease cups are inspected. The ventilation is changed. Still the horrendous clamor continues. The blue prints have long since been checked in every detail. They are perfect. The eyes of the world are upon the engineers. What to do?

However, the business of being equal to emergencies is a thriving industry in Moscow. On a day late in November, eight subordinate technicians are summoned before the bar of Soviet justice, accused of high treason against the State. It is charged that they have willfully and maliciously put sand instead of oil in some of the mechanical gadgets, that they turned red lights on where their instructions clearly called for green lights, that they fitted left-threaded nuts on right-threaded screws, at the same time maintaining mysterious communion with capitalistic Powers. In short they are the

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rotten spot in the State of Russia. With amazing unanimity the eight defendants turn and lead in a goat, all the while chanting a Soviet litany through microphones thoughtfully provided by the prosecution. The goat walks with difficulty. In fact there is something very ungoatlike about him. Upon closer examination we see that he is stuffed and we discern within the forms of Briand and Poincaré, Lawrence of Arabia and other sinister representatives of the enemies of the Soviet Union. Upon the head of this beast are recited the sins of the land. With poetic irony, Russia turns in her embarrassment to a device of the religion which she has proscribed. Verily the goat is a useful creature.

AT TIMES the goat is an abstraction, in which event the vicarious absorption evil which he makes possible becomes wholly innocuous. Consider the case of the Manchester Chamber of Commerce. Manchester is the core of England's textile industry. As in a legion of other fields, the sun of prosperity had been hiding behind dense dark clouds until the patience, to say nothing of the financial stamina, of the manufacturers and jobbers approached the point of exhaustion. They sought the advice of a distinguished but slightly myopic economist, and then gathered in solemn conclave. The hairy receptacle of sin was led forth. He proved to be the gold standard. Gold, it was stated, had failed to keep pace with the growth of business. This disturbed the balance between the power to buy and the ability to sell. Markets stagnated, production declined, profits evaporated. The culprit, clearly, was the atrophic stock of gold. "Lead it into the wilderness," cried the chamber, "and give us a flexible monetary standard which will expand when business expands." As for contraction — well, why bring that up?

WHAT are the qualifications of a prime, eligible goat?

He must in the first place be defenseless. It would never do to select a creature able to reject the rôle assigned to him or to cause the prophet uneasiness. It is perfectly safe for Mussolini to catechise and ridicule the United States and finally blame it for Italy's indisposition. Such a selection can give the Opposition no comfort, for it would never do to establish the error of the prophet by defending Uncle Sam.

When the Federal Reserve Board first discovered the heinous state of speculation in Gotham, it was placed on the scent by a group of high minded Senators from the South and West. The decline in construction, the inability of the Farm Board to relieve Arcadia, the ravages of halitosis, all were due to the unconscionable aleatory excesses of the stock market. This was perfectly safe. The market as an organization did not dare retort. Whenever a Senator suffered from the gout or an unsatisfactory encounter with the distaff side of his house, he vented his spleen upon the stock market. He lost no votes and his speeches rivalled the more imaginative fiction magazines in interest.

The scapegoat must in the second place be susceptible to judicial processes. There is no satisfaction in the indictment and conviction of a hail-

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storm or the drought. Of course, such a procedure is rarely real. It must be possible to go through the forms of trial without imposing an excessive strain upon the credulity of the tribe. Thus the case of the Soviet State *versus* Eight Scientists became the trial of England and France, and the fact that eight human victims were physically pinch hitting for these two chauvinistic powers gave the people of Russia incredible satisfaction. The bar of justice is merely a modernized and humane version of the faggot heap and the gibbet. It nourishes a primitive, vindictive and unspeakable lust. In fact there are moments when the scapegoat looks more like the sacrificial bullock.

By the same token he must have human qualities, particularly the capacity to suffer pain. His bleating as he is led off to a fate which he apprehends but can not understand becomes a vicarious atonement. History is full of scapegoats who have served precisely this purpose, among the most notable of them being Socrates and Joan of Arc.

FINALLY, the goat must appear to be responsible for his own selection. His choice must be reinforced by logical processes which will make him appear the culpable malefactor. The naïve candor of the primitive Jews is no longer possible. One of the conspicuous results of his own education is the conviction of the modern man that he is a creature of a higher order, a finely attuned organism responding only to cold reason. He has persuaded himself that the baser responses to superstition so frankly confessed by his forbears have long since been outgrown. Hence the goat must appear to be anything but a goat. The acknowledgment of his true identity would be tantamount to a confession of reversion and atavism. Through the lofty hocus pocus of impregnable syllogism the goat becomes transformed into a felon.

HERE are some familiar domestic instances:

Money is required to effect all transactions. If business declines it is due to a lack of money. Bankers control our money. Business has declined. Therefore the bankers are responsible for our depression.

A machine displaces labor. We have unemployment. This has been an age of rapid technological progress. Therefore the machine is responsible for unemployment.

Farm products are sold on commodity exchanges. The traders set the prices. Prices are unremunerative to the farmer. Hence speculation on the commodity exchanges is to blame.

The party in power pilots the Ship of State. If the Ship founder it is due to the negligence of the party in the saddle. She is on the rocks today. Down with the Administration.

If there are poverty and great wealth side by side, the latter must be the cause of the former.

In each case an ironclad proposition is built about a major sin and the goat nominated in the conclusion. Unfortunately it would be far less mischievous if we could satisfy this desire for retributive and remedial expiation by leading a hairy quadruped into the wilderness. Illness on a broad scale starts a babel of angry

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voices each identifying the cause according to the peculiar light of his own wisdom or the sway of a pet aversion.

When the stock market crashed in the much lamented autumn of 1929, a hue and cry was raised for a beast upon whose head the sin could be placed. Among the candidates prominently mentioned was the banker. At the meeting of the American Academy of Political Science held in New York shortly after the collapse, one of the scheduled speakers, a man with scholarly antecedents, traced an involved line of cause and effect from the crash backward until finally he came to a pause at the threshold of the banker. This Philo Vance of the economic world proved that the bankers had been responsible for the inordinate excesses of the upward movement by being too lax with their purses, and then when the market had travelled too far they hastily drew in their strings and precipitated the catastrophe. His diagnosis struck a responsive chord in the audience. It relieved those who had come upon stark poverty of all individual responsibility and placed an unerring finger upon an ideal scapegoat.

THE same strain appears in some of the remedies urged today for the stagnant state of business. Diagnosticians whose analysis does not penetrate beneath the two manifest elements of a transaction, to wit, money on one side and goods on the other, have come to the conclusion that a general lack of funds is responsible. Since the central bank is the final guardian of the gold base upon which our money and credit rest, the central bank is in a position to do something about it. Thus the Federal Reserve Board is at once goat and savior.

IN THE case of unemployment the selection of the machine as the culprit is relatively innocuous. It is the result largely of the inability to discover any other satisfactory cause or, for that matter, effective remedy. One phase of the problem, however, which has been utterly neglected and adds force to the error of selecting "technological improvements," is the growth of female labor. There are approximately ten million women employed today as contrasted to two million twenty years ago. Occupations that once refused to admit a petticoat are now dominated by that sex. In commenting on this fact a friend of mine, a grizzly veteran in the financial district, said:

"Twenty-five years ago it would have been hard to find a single woman in any of the great brokerage houses. Today, not a task involving details and routine work but is performed by a girl. What is more, they have displaced the men strictly on merit. In secretarial and clerical work the girl is invariably more painstaking and reliable than the man."

Reduce the feminine part of our working force to the proportions of 1910, and we would find a scarcity rather than a surplus of workers. It would throw seven million jobs open and the crisis in unemployment would vanish. This is not suggested in a spirit of advocacy. Nevertheless it is a more reasonable explanation of male unemployment than the application of new machinery.

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However, it is in the field of political economics that the Biblical device discovers its greatest usefulness and at the same time touches its highest level of mischief. Here is the Farm Board rankling under its inability to control the price of cotton and wheat and the necessity of admitting virtual failure of its programme. Congress set aside $500,000,000, ostensibly as a revolving fund, but actually the bread and circus of a political mob. It has spent $250,000,000 and Congress is about to hand over another $150,000,000.

NO PRECISE accounting of the fund already expended has yet been made. We do know that the Board holds approximately 120,000,000 bushels of wheat, and 1,300,000 bales of cotton. On these two crops a paper loss of $65,000,000 has already been incurred. According to conservative estimates, the carrying charges on present Government stocks amount to $2,500,000 a month. The Board already holds the entire exportable surplus of wheat, creating thereby a domestic market for the grain about 20 cents above the Liverpool price. With all its heroics, the Board can show the farmer nothing better than ten-cent cotton and eighty-cent wheat. His condition is no better than that of his urban brother, and in some respects not so good. The Board is staggering under the "staff of life" and knows not how to dispose of it.

It is clearly a case where the unguentary balm of a scapegoat is necessary. The spirit adviser of the Farm Board appears. He is in a trance and in touch with powers not visible to common mortals. "The commodity exchanges have interposed grave obstacles in the path of farm relief. The speculation of uncontrolled and selfish traders makes the realization of the Government programme difficult if not impossible. Government regulation will be necessary."

Such in substance are the words of Mr. Legge. His prophetic instincts have led him true and straight. Speculation of any sort, but particularly that type which is responsible for the farmer's woe, is anathema to the political agrarian. Exorcising the sins of political price manipulation and placing them upon the head of the grain and cotton exchanges, becomes a priestly labor of love. The exchanges have all the qualifications of prime scapegoats. They are defenseless, lack political power, have the capacity for pain and are susceptible to all the mock judicial processes so essential in the time honored ceremonial. The selection has the additional virtue of placing the Children of Israel on familiar ground.

THE present ailment reaches far beyond the farms and countryside of America. Finding a blotter for the transgressions of agriculture falls far short of adequacy. According to the diagnosis of Congress, the eccentricities of the trade cycle bear with discriminatory severity upon three classes, the aforementioned farmer, the workingman and the war veteran. Furthermore, something more than a scapegoat is necessary. To be able to pass the moral burden of economic transgressions on to some obliging outside party may afford relief to the soul, but will hardly fill

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the belly. It is well enough for the Democratic party to take a leaf from the manual of the Republicans and, pointing an accusing finger at the persons in power, say, "You did it. Get out and give a good party a chance." Satisfying as this may prove to the competitive instinct of politics, it is not a sustaining remedy for the farmer, the worker and the war veteran. It will not raise the price of wheat for the farmer, find a job for the worker, or permit the war veteran to stimulate consumption. In fact, the situation calls for a creature which has the virtues of the scapegoat, the sacrificial bullock and the horn of plenty.

THE quest of Congress has already been rewarded. It has long since found an ideal candidate for this triune purpose. He has been groomed for a number of years for the great task which is about to be placed upon him, for he is none other than the wealthy taxpayer.

A number of considerations make it possible to connect in a culpable sense the rich citizen and human misery. In the field of abstract economics a theory has won wide popular acceptance which places the responsibility for recurring crises on the shoulders of those whose incomes exceed their ability to consume them. The argument proceeds somewhat as follows:

Mass production depends upon mass consumption. To sustain the latter it is necessary to pass back to the worker in the form of high wages almost all the income from the sale of output. If too large a portion of the proceeds is retained by the manufacturer he will be unable to spend it for consumable goods. In fact this is precisely what takes place. The surplus which the affluent producer retains over and above his own needs is reinvested in plant. The output is increased still further, although the body of consumers has already been denied the means of acquiring the previous volume of goods. The effects are not visible at once, for society has developed innumerable shock absorbers to ward off maladjustments of this kind. The pressure accumulates until a point is reached where output by virtue of its own excesses washes back on the producer. He is swamped. The channels of distribution are clogged. We have a crisis and depression. All due to the faulty distribution of income. The possession of wealth is *ipso facto* evidence that it has not been consumed. Hence consumption should be stimulated, thrift abjured, and a more equitable distribution of income provided. The culprit is quite clearly defined.

ON THE human side we have the sympathy for the pathetic members of the bread line. The world is clearly out of joint when abject misery and embarrassing wealth can exist side by side. The gap constitutes one of those "clarion appeals" to duty which the legislator loves to answer.

By a chain of pseudo logic the causal responsibility of the prospective scapegoat is established. Great wealth and human misery. Cause and effect.

In the second place, the affluent classes are susceptible to those mock judicial processes necessary in the election of the goat. The political priest can indulge his passion for

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pyrotechnical oratory as he places the defendant on the stand and thunders forth the devastating indictment. It makes crisp reading at home.

Another condition which the income taxpayer fulfills is his utter lack of political defenses. He can not harm the leech that drains his vital substance. Approximately four million citizens file income tax returns. Two and a half million actually pay taxes. A little more than three hundred thousand of these pay approximately 95 per cent of the total net income tax revenue flowing into the Federal Treasury. It is safe to assume that in this small group is concentrated the ownership of the great corporate enterprises which pay income taxes. Furthermore, the capital transfer, estate and issue taxes also fall upon the same select citizens. The total of these accounts form 62 per cent of the Federal revenue. Now if the political representation of this group bore any relation to its importance as a source of fiscal income, it is possible that the selfless Congressional quest for relief would be a little less intense. As it is, this small section of our population on a proportional representation basis can claim approximately three-quarters of one Congressman. Hence the impunity with which Congress assails this class and the magnitude of its benefactions actual and in prospect.

Is there any wonder that the flood of relief proposals during the opening session totalled four and a half billion dollars? With characteristic providence Congress first proposed a little slice of this pie for itself in the form of face lifting and eyebrow plucking operations on a number of rivers and harbors. It then proceeded with magnificent sweeps to allot soothing portions to the farmer, the worker and the war veteran.

The protests of the taxpayer are merely the final virtue of the perfect scapegoat, the ability to bleat and to register pain. There is nothing new under the sun.

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Lilies of Jade

By H. M. K. Smith

The Third of the Series of Oriental Love Stories

The spring arbors in the garden of the Inner Palace at Nanking were warm with caged sunlight, and the Emperor Yüan-ti sat in the Pavilion of the Orchids. Slanting amber light sifted through tall bamboos into an alley of green moss where garden-boys in white tunics were feeding flamingos with feathers of flame and the pet blue herons of the Empress. The air was sweet with the odor of cinnamon blossoms, and the fern-like boughs of the osmanthus trees drooped, heavy with singing orioles as brilliantly yellow as the imperial robes.

Although he was a great warrior and his pathway to the Dragon Throne was paved with blood-stained swords, the Emperor was a man of deepest wisdom, and a poet, too. He loved to sit with the broken sunlight quivering over the southern porch and, with golden brushes tipped with the plumage of the kingfisher, write delicate love poems on tablets of ivory. But even more than writing love poems did the Son of Heaven enjoy acting as a personal messenger for the gods of love and, in such a rôle, intervening as patron of the romances which budded and bloomed in the courts and gardens of his palace.

Each day from behind a secret screen of sandal wood he watched the youthful princes and the sons of mandarins who came in the month of Tsing-Ming (the month of Clear Brightness) to be examined by him in the Four Books, the Five Classics, the Hundred Plays of Yuen, and the Sacred Doctrines of Koung-sté.

As they walked up and down in the cool green courts of the gardens, it was not alone in their learning that he took pleasure. From his hiding place behind the perfumed screen he watched with eager eyes to see which of the young nobles looked longest upward to where, like bright, jewelled flowers, the young princesses attendant upon the Empress leaned over the balconies, to take the morning sun.

Among them all, there was but one youth who did not look upward with thirsting eyes to that garden of young loveliness. A slender, handsome lad who wore upon his coat of moon-colored brocade the insignia "Chang-yueh," bestowed only upon those who have passed with honor the seven degrees of learning in the ancient and sacred books.

"Who," asked the Emperor of his Chamberlain, "is this youth in the

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green tunic and the moon-colored coat, whose manner is so gentle, whose person is of such great beauty, but who unlike the others has no eye for the loveliness of women, it would seem?"

"That, Illustrious One," answered the low-bowing courtier, "is the youthful Prince Li Fu-jen, the son of your servant and the upholder of your fifth military banner, the venerable Governor of Hunan. He is a learned youth as you see, for he wears the order 'Chang-yueh,' but it is said that he is still so shy, so innocent, that at twenty he has not yet known the beauty of a woman." The Emperor smiled thoughtfully and tapped a peacock-fan against his lips.

So it was that after his examination, the young prince received in honors from his Emperor a sea-dragon cap with a coral button of the first rank, a yellow satin jacket and a three-eyed peacock feather in a holder of white jade. When he had made the *ko-tow* and was about to withdraw, the Son of Heaven, remembering that this was the youth who alone had not looked upward to the balcony of the princesses, smiled and said:

"My son, thou art wise in many ways for one so young, but I am told that the beauty of women stirs thee not."

The boy's ivory skin flushed red, but he made the *ko-tow* once more, and answered in a clear, low voice:

"Illustrious and most glorious One, because whatever is pure and beautiful casts a spell upon thy most unworthy servant, so he knows that he is not devoid of the love of beauty, even that of women. Yet, O Son of Heaven, miserably is he the lover of such beauty and of such purity as he has never found."

The Emperor nodded and smiled behind his fan as his eyes looked still more keenly at the boy who knelt before him.

"Surely in our empire such beauty may be found, and even now thou shouldst have sons. Else how canst thou hope to administer thy father's Province of Hunan? Thou knowest what say the sacred writings of Koung-sté:

"'A man's knowledge being complete, his thoughts become sincere. His thought being sincere, his heart is rectified. His heart being rectified, he cultivates his person. His person being cultivated, his family is regulated. His family being regulated, his State is wisely governed. His State being wisely governed, the whole Empire is made tranquil and happy.' Thou hast taken on the journey of thy life but the first four steps. Go thou now to the far gardens beyond the five red towers and ponder upon this. As thy last task write me also a poem on the subject of love, and on the next day, return to thy honorable father in Hunan."

Behind his fan, the Emperor whispered for a long time to his Chamberlain, who nodded sagely and smiled to himself. He was still nodding and smiling as he went from the throne room toward the turquoise-studded doors which led to the apartments of the Empress beyond.

The streets of the ancient capital were colorful and gay, but to all its color, its life, its sound and gaiety,

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Li Fu-jen on his way toward the red towers was both blind and deaf.

Merchants and vendors invited his attention to their wares in high, sing-song voices, a fortune teller plucked at his sleeve, and beggars whined at his side. Beyond the gilded trellises of the shop fronts carved into pomegranates and the pears of plenty, he might have seen the glint of silver and the glow of gorgeous-hued brocades, while at every doorway rose-pink peonies and white camelias bloomed in great blue porcelain pots.

A lacquered sedan chair, its closed yellow curtains painted with the golden unicorn identifying its occupant as some woman from the Imperial household, and guarded by a convoy of soldiers, passed him on the run. He did not even see it as he walked slowly along, pondering over the Emperor's words, nor hear the *hai hai* of the outrunners who ran before it with their red and white-striped sticks.

IT WAS sunset when at last he entered the far gardens where the five red towers stood like pillars of cinnabar in the reddening west. He was discouraged and sad. How could he make a poem on the subject of love when he had never loved? A poem must sing in the heart of a poet as freely as birds sing, and no song of woman-love in all his life had ever stirred his heart to quicker beating. He sat down at the roots of a tree and looked about him. Where the sun shone through them, the blossoms of the apricot and the plum trees hung like a crimson mist, and in the shadows they were like little drifts of snow.

It seemed as though the wandering bees could not bear to leave them as the petals of the fragile flowers in whose hearts they sought for sweetness fluttered down and fell upon his hands. The sun was sinking and the orioles with one last song were flying homeward. He thought of the words of the Emperor, and his heart grew suddenly lonely — sadder even than before.

THIS was the beauty that he loved. This beauty of the dusk, the flowers, the limpid green lake upon which lotus blossoms floated in water still as a burnished mirror's face. Of the far mountains already sleeping beneath their gossamer veils of gray and purple mists, of the never-ending sea which upon one wave carried away the rising moon only to come back freighted with silver stars. Of the trees at dawn, which the rain like a lover had visited in the night, leaving upon every branch a gift of hanging pearls. Of yellow thrushes singing their way at daybreak into the infinite vault of the heavens.

All these he loved, and he knew from the sacred books that their beauty was but the earthly form of that formless One in the pure contemplation of whom he wished to spend his life. He knew that other men's hearts loved tinkling jade and honors, gold and fame; their mouths food and wine and the kisses of the dancers; their arms the soft embraces of women in the ecstasies of love.

He did not want the kisses, the beauty, the arms of women, and then in a shaft of sunlight at the foot of the garden, like a vision from one of the four heavens, she appeared.

She would be too tall if an inch

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were added to her height — too short if an inch were taken away. Her face, a shadow whiter would have been too white; her mouth, a shadow redder would have been too red. Her dark, moth-velvet eyebrows were arched like twin rainbows and shaped like the young willow leaves of earliest spring. Her skin was as fair and smooth as the sun-tinged blossoms of the plum trees, her waist as slender and pliable as a roll of new silk. Her eyes were as deep and dark as the sea at night, yet they sparkled like the sea under the sun. Her teeth were like the matched pearls in the combs of the Empress.

She stood poised like a bird on feet so tiny that they remained unbound, her hands fluttered to her breast where in the folds of her modest robes nestled a lotus flower, no whiter, no more delicate than they. Framing the pure but pointed oval of her face, her hair, black and satin-smooth as the wing feathers of a raven, was free of ornament or jewel, and upon her arm she carried the basket of the simple mulberry-girl who gathers food for the silk worms.

IT SEEMED to Li Fu-jen that in that instant all the beauty of the dark mountains, the sinking sun, the flowers, the stillness of the dusk and the young, rising moon, all, all were concentrated in this ethereal and lovely being who stood hesitant, like a startled swallow poised for flight.

Here was a pure, unearthly beauty such as he had never dreamed of, never seen. The young princesses in the Empress's balcony had smiled at him, the dancers at the Emperor's banquets had brushed him with scented satin sleeves, but there had been no stirring in his heart at their near loveliness.

Yet something now shattered in his breast like icicles breaking into splinters of jade under the sun, and something rose and engulfed it like the warm, sweet waters of the floods in spring. He looked at her, and there was a tumult in his soul as wild as the storm-threshed Yellow Sea under an autumn typhoon. There was a humming in his ears like the distant music of harps of cassia wood, a tinkling as of ivory bells with tongues of jade. His eyes burned as though he had gazed too long upon the noonday sun.

HE KNEW that the girl who stood there before him in maidenly modesty, as though at sight of him she had been rooted to the spot, was the world for him, that the world lay dead around her, that for him nothing else existed.

She was more beautiful than the evening, gentler than the dusk-wind that moved through the hushed trees. The radiance of her presence was more blessed to him than the light of the rising moon and the first, far-distant stars.

He approached her now and looked into her eyes. She smiled as shyly as a child, and then with a movement like a bird, hid her face in the lotus flower at her breast.

"Do not fear me," he whispered, "I am but an humble scholar who would drink at the pure fountain of thy beauty."

"I do not fear thee, honorable sir," she answered and looked into his eyes. Above them in the night breeze, the branches of the plum trees closed

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as though in an embrace, flower matching flower, leaf touching leaf.

"What is thy name?" he asked her. And she whispered, musically: "Ah Lu-té. I visit in my uncle's house in the Street of the Silver Pheasants. I came to the garden to gather mulberry leaves, but now it is almost night."

SIDE by side and in silence they went down to the mulberry trees on the shores of the lake where the red-tipped rushes bowed a good night to the water, but they did not fill the basket. Instead, they stood and looked into each other's eyes as the moon came floating like a great opal across the rippling lake. The curfew drum sounded its four booming notes and with a little cry of regret she put both her small white hands against his breast. He took them into his and pressed his forehead against her own. They were heart-tied and could not speak. Their inevitable love was as pure as the snow upon the mountains, as white as the moon between the clouds. In the shadowed distance, some one called her name.

"In the days when we are parted," he whispered, "come to the mulberry trees at this hour of our love. Know that if I live I will come back to thee, and if I die I shall go through the seven incarnations thinking only of Ah Lu-té."

"I will come back to the mulberry-trees," she said so softly that he could hardly hear. "The south wind will know my thoughts and carry my heart to thee."

Like a shadow she was gone. The sound of her skirts in the grass had stopped, the garden was empty and still. Longing for her loveliness, for the beauty of this gentle stranger known only as Ah Lu-té, how could he bring his aching heart to rest? He took from his girdle, brushes and a silken scroll, and began, with only the light of the moon, to write as the Emperor had commanded, a poem on the subject of love.

ON THE next day he returned to his father's yamen in Hunan. As the red lacquered cart in which he rode drew near the gateway hung with tablets inscribed with his father's titles, he saw that today it was decked as well with green garlands and silken banners of every hue. Servants came out to meet him with cymbals and with gongs, and in the courtyard musicians began to sing and play. In the great hall, in his richest robes of state his aged father, four score years and twelve, waited to greet him, for the news of his honors at the hands of the Emperor Yüan-ti had already reached Hunan.

He took off his sea-dragon cap and knelt before his father in filial piety and reverence, but in his heart it was his fair, dead mother that he longed most to see. She alone would have understood his great happiness, she alone could have helped him to his heart's desire.

In the huge inner court with its blue tiled roof, its rafters and pillars of teakwood, its tiles of red and gold, the feast of honor and of welcome had been spread. A feast of pigeons, yellow heron and black cranes, fresh turtle and sweet chicken cooked with cheese, of boiled perch and sparrow broth, of game and meats cooked with the hot spice of southern-wood and rice. He could not eat, not even

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of the pigeon's eggs and lily roots of which he was so fond. He drank only a little tea and rice wine from a cup of tortoise-shell, and as he drank he thought of his beloved, standing at this hour in the shadow of the mulberry trees so far away.

THEN, just as the venerable Governor, his father, was about to begin the formal and flowery address of welcome and congratulation, there was a commotion among the servants and soldiers at the doorway. Through the outer gate and over the cobbled courtyard, with a clatter of iron-shod hoofs, galloped a messenger mounted upon a great Fergana stallion with a black and white mane. His saddle of crimson leather was hung with tassels and gilded bells, and the tuft of white hen's feathers in his cap showed him to be the bearer of a message from the Son of Heaven himself.

He bowed before the Governor, and handed him a scroll emblazoned with a golden unicorn and sealed with seven seals. From a leather pouch he drew a carved sandal wood box bound with yellow cords and with a pendant golden seal. This, too, he laid at the Governor's feet and, saluting him once more, withdrew.

The old man broke the seal with trembling hands and peered with age-dimmed eyes at the message from his Lord. His expression was grave and anxious, but as he read a smile broke over his wrinkled, parchment-like face, followed by a look of triumph and of pride. He rose and bowed low to his astonished son as to some noble ranking even higher than himself, and began in a voice choked with emotion to read from the Imperial scroll.

The sonorous words of the edict fell with the cold finality of fate upon Li Fu-jen's unbelieving ears, and struck like the drums of death against his boyish heart.

For the Emperor, pleased with his person, his demeanor, his learning, his honor and his taste, commanded his betrothal to none other than the daughter of the Emperor himself, the Emperor's daughter whose name he did not know, whose face by age old custom he would never see until that hour when he should conduct her to the marriage bed. The Emperor's daughter, whose sacred person no man at court had ever seen, and who was reputed by some of the young nobles who gossiped in the garden to have a cast in her eye, by others, the temper of a shrew.

The quavering tones of his father's voice sang on: "And as a further mark of his benign favor, the Son of Heaven bestowed upon him and upon the lady who was to be his princess, twin golden rings from his own hand set with mystic talismans in the form of carven lilies of jade."

THE boy rose, white faced, and stood as though in a dream, while the guests raised their wine cups to his health, his happy marriage, his Imperial bride, his long life and honors, and to many, many sons.

He could not speak, as his father broke the seal of the sandal-wood box and placed the ring of gold upon Li Fu-jen's cold and reluctant hand, the ring with its mystic talisman, the carven lilies of jade.

A little wind stole in through the court and tinkled the glass bells on the lanterns which sang softly, so that only he could hear:

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"I am the South Wind. I bring you her heart."

It was obedience — or death. Obedience to the will of his Emperor, obedience or honorable death.

He crossed the bridge of blue and white porcelain into the garden of the little temple where, under the great pines and the pear trees, his mother slept.

THERE was something strange about this garden, where he had played as a child while his mother looked over the sacred lake, with soft, black-dreaming eyes, something that caught and held him like an invisible, tender presence. It was here that he had first felt in some revealing way the power of beauty and the mystery of life.

He recalled at a time in his life so early that his memory of it was clouded that his mother had once lifted him up before the still, golden god in the temple and presented him in a kind of dedication, and that he had reached out with baby hands and touched those gravely-smiling, gilded lips.

He went into the Hall of Great Perfection, where, on an altar of cedar wood in a circle of ruby lamps, her spirit name was written on a tablet of white jade. Before the white jade tablet surrounded with lotus blossoms in slender vases of gold he burned nine sticks of fragrant incense. He knelt before the altar and touched his forehead to the floor. His mother had told him once, when he was still a boy, that here in this temple there had come a miraculous answer to her prayers, that here by the power of the temple's god she had had a vision lovely as a dream. She had taught him to believe that here he too might find an answer to his prayers, and he went now to kneel before that smiling god, the silent golden Buddha who had listened to her supplications in that far-off time and had answered them.

A text from the Sutras, embroidered upon the curtain of ruby silk, caught his eye, and he repeated it under his breath like an invocation — "Thou art all Life, all Life is in Thee."

Obedience, obedience or an honorable death; he must choose between the two.

He must choose between them, and as he knelt in the darkening of the temple, almost like a voice came the knowledge that death for his love's sake was for him the better of the two. There came to him something from the Sacred Books: "As a man pours back into the flask the wine he would not drink, so may a man return the life he would not live back into that eternal One from which it came."

He knelt for a long time before the still god who looked upon him with a human and understanding smile.

IT SEEMED then that the doors of Heaven opened with a breath of incense of unearthly sweetness and that he saw his mother's face; that she too smiled upon him with that same tender smile which brooded in the dimness upon the face of Buddha. The tears fell surging over his breast. She was gone and where she had seemed to stand was only a swaying ruby curtain with an inscription in letters of gilt, "Thou art all Life, all Life is in Thee."

What, after all, was a man's life but a fleck of dust upon a mighty and

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eternal wind? He would hurry out of it with high steps into the other seven incarnations, to find his mother and to wait for Ah Lu-té. He would go back into the One. He would perform the ancient and sacred rite of *sep-uku*.

But first he must write to his beloved, so that she might know that he would not live without her love, that when she too went into the place of souls he would be waiting there for her. On a scroll of white silk he wrote his letter to Ah Lu-té, who dwelt in the house of her uncle in the Street of the Silver Pheasants in Nanking:

The flowers are falling in the yellow twilight, and the world is sad and hushed. My tears fall upon this silk, for I write you in farewell. The Son of Heaven, the glorious and infallible One, has betrothed me to another, and I must choose between obedience and worldly honor with the loss of you, O my beloved, or death.

Since the hour when we found our love, I have been joined to you. We were born involved in one another, and in the end we shall be one again. I go into *sep-uku* for the sake of our love. Do not forget me like a footprint left behind in the dust, but do not grieve for me. Go to the mulberry trees when the orioles are still — my heart will be there though in a different dwelling, but you will know. I go on the long, long journey, singing and unafraid, and when you come you will find me by the light of my love which will flame higher than all the stars. Tomorrow at the rising of the moon, stand once more by the rushes under the mulberry trees and let the south wind bring your heart once more to me. For at that hour on the cliffs by the River of Chu-tang, I go into that which with your life and with mine, with all life, is but One. For a little hour farewell, O my beloved, I kiss your brow, my finger tips are on your heart.

Already when he returned to his father's yamen, the ceremony of the Exchange of Presents was under way. Great painted carts, some drawn by stout Mongol ponies, some by white oxen, made a cloud of red dust in the roadway as they started on their journey northward with gifts from his father to the daughter of the Emperor, his betrothed. With a great shout and a clang of gongs, the cavalcade, guarded by soldiers armed with cross-bows and swords in scabbards of damascene and ivory, was under way.

The last cart had creaked away and it was nearly dusk again when he crept out, wrapped in a black pilgrim's cloak of camel's hair to hide the white, ceremonial raiment underneath. A great pity for his aged father shook him so that he wept; yet for him, there was no other way. He could not dishonor the Emperor's daughter, he could not dishonor himself. There was no other way but *sep-uku*.

He entered the temple and knelt before his mother's altar once again. There was a rustling, a whispering of silver bells. He could not see the face of the silent, smiling god nor read the sacred inscriptions, but in the twilight, he stretched out his arms to them in supplication, even as he knew his mother once had done.

The circle of ruby lamps flickered as if some one breathed over them, but there was no sign, no sound. A little wandering wind fanned the blue and falling darkness and the first rays of the rising moon shone on the tower of a distant pagoda. The music of the wind-bells that hung around it came faintly to him through the whispering shrubbery beside the now ascending path. In the moon's

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whitening light, he came upon a single tree of *pau-lo-ina* flowers, purple flowers which are a symbol, meaning "thinking of an absent friend." He gathered some of the fallen petals and thrust them into the folds of the white tunic, over his heart.

The yellow birds had not left the garden by the red towers, the blossoms of the plum trees had not yet whitened the grass, which had echoed to the whisper of tiny feet, yet even in so short a time, his destiny was written. He was on his way to death.

At a bend in the river's course he began to climb still higher, grasping at shrubs and creepers in the steep ascent, and after a while he came to a little rocky terrace on the cliffs. Above him a mountain a thousand rods high, below a river a hundred fathoms deep. A strip of mad green water where without wind there were waves like those of the sea and great rocks, cold in locked moonlight, stood up like the flat blades of sharp, gigantic swords.

The world was spread out before him, but as he looked up to the vast heavens above, he thought how small after all was man's domain, how idle the carnal vanity of his world.

He took off his black cloak and stood revealed in a robe and sandals of white sack-cloth, as he tied a narrow strip of it about his brow. On a bit of jutting rock he set a small portrait of his Emperor, with burning candles and sticks of incense on either side.

He took from his girdle a figure of the goddess Kwan-yin, kissed it and placed it too upon the little shelf of rock. He made the *ko-tow* before it and in the eight holy directions and then walked out to the edge of the rocky cliff. The moon turned the churning waters into billowing, feathery white, and he began to intone in a calm and steady voice the words written in the sacred rites for those who are about to go honorably into *sep-uku*.

The words echoed back from the rocks as he stood with fingers joined and his hands against his forehead in an attitude of prayer.

Oh Soul, go not to the East to the silent valley of sunlight.
Oh Soul, go not to the West where many perils wait.
Oh Soul, go not to the South where the evil genii dwell.
Oh Soul, go not to the North to the frozen dragon's peak.
Go forth, O Soul, straight to the heart of life.
Go forth, O Soul, explore the parks of spring.
Go forth, O Soul, and join the birds in flight.
Go forth, O Soul, to what the wise have taught.
Go forth, O Soul, and end what man began.
Go forth, O Soul, be one with what you love.

He stood for an instant waiting for the far-off temple bell and at its first stroke he thrust his hands deep into the folds of his girdle. He closed his eyes with one last thought of Ah Lu-té — and then near by in the darkness at his feet, he thought he heard her voice. He stood rigid while the bell tolled on. Was it a fantasy, a dream? And yet it came again. She called his name once more, he heard her feeling her way among the rocks, he felt her clinging arms:

"Oh, my beloved, didst thou think I would let thee go into *sep-uku* alone? I must go also that our hearts may be forever one. See, my father has betrothed me, too, and without your love I have no wish to live."

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He held her in his arms, so innocent, so young, so soft, so dear, so white and faintly sweet like some as yet unopened flower. How could he let her go with him, though death together might be sweeter for them than life apart.

He took the hand which she was holding out to him, so small and lotus white, and lifted it to his lips. The moon sent down a sudden spear of light as it came out from behind a cloud and his heart stood still. In the high silences of the mountain a nightingale burst into sudden trilling song and the stars dropped suddenly almost to the earth. His mother had been right, her god in his extremity had not failed her son, for as he looked again at the small white hand he saw something which caused tears of joy to fall warm as summer rain upon it. On her finger was a golden ring, the Emperor's own, a ring like the one which he wore upon his own hand, one of twin marriage rings set with a mystic talisman, with carven lilies of jade.

Li Fu-jen knelt before Ah Lu-té. Knelt as men kneel only to the Empress herself. And timidly, shyly she put out her hand, touching his dark young head with a gesture of exquisite tenderness and love, as the nightingale sang on.

There was a rustling in the pines close by, and the music of a trumpet filled the air. Below in the gorge another sounded, then further up the valley one after the other like silver echoes, onward to the palace of the Emperor in Nanking.

The Son of Heaven and his Chamberlain sat in the Pavilion of the Orchids with listening ears. As the far-off sound of the trumpets was wafted ever nearer, until at last it filled the outer courts with vibrant joyful sound, the Emperor smiled a smile of wisdom, of satisfaction and of joy.

Once again he had acted as the happy messenger of the gods of love, and he smiled as he took from a nacre box on the gilded table before him, a scroll of silk.

"Listen, my friend," he said to his Chamberlain, "what a great alchemist is love, for this is the song of one who only an hour before knew not what love was like. This is the song of one who in a space of time wherein the petals are not yet fallen from yonder plum trees, finds in the garden by the red towers that beauty for which he longed but had not found, who brings happiness to my beloved daughter Ah Lu-té, and to me a scholarly and an honorable son.

"If we helped the gods of love a little, what of that?" And he smiled at his Chamberlain once more, as he unrolled the silken scroll which contained the love-poem of Li Fu-jen written in the garden by the mulberry trees — a poem not yet a fortnight old. Delicately the Emperor waved his perfumed fan and, softly modulated, the words came like music from his smiling lips:

When the birds of spring greeted my Lord,
And I served by the Dragon Throne,
Were these the songs I heard?
Now in this garden the oriole sings,
But the music is not the same.
The bird's notes have not really changed,
It is only my heart singing with it.
It sings as though it possessed a kingdom,
But I would discard even a kingdom for love.
Better a thatched hut with a mulberry-girl
and love
Than a palace and the Emperor's daughter
without it.

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Democratic Possibilities for 1932

By Henry Carter

A Preliminary Canvass of the Candidates Now Being Discussed

With the convening of Congress in short session the quadrennial race for the Presidency may fairly be said to have begun. The announcement of the November election returns was the immediate signal for predictions as to Presidential possibilities for 1932, and it is true that the elections operated as a species of qualifying test preliminary to the 1932 struggle, but a clearer view of the field and of the principal contestants is obtainable by taking the slightly later date as a convenient if arbitrary point of departure. Although the party conventions will not take place for over a year, although the political developments of the next several months are uncertain and difficult of prediction, the fundamental political issue in American politics today is the question of the control of the Presidency in 1932. To this are subordinated the immediate problems of the moment and upon this the political leaders of both parties are intent. If this be borne in mind much that is obscure in the present party manœuvrings will find its explanation and its excuse.

While it is debatable to what extent the November returns are properly to be interpreted as a repudiation of Republican administration, it seems plain that the Democratic Party has recovered from the shattering defeat of 1928 and, aided by the general dissatisfaction consequent to the economic depression, has scored successes at the polls which have virtually destroyed Republican control of the Senate and House of Representatives, and which have enabled it to contest with its historic rival upon an equality that has not existed for fifteen years. Another such electoral gain, and the Presidency will fall into Democratic hands, regardless of the usual tendency of the American people to elect Republican Presidents.

On the record the Democrats have much to encourage them in their hope of victory in 1932. The Republicans are suffering the loss of popularity and the division of counsels which inevitably develop as a result of a long stay in power. Grave internal strifes have appeared in the party and their effect may have far-reaching results in the 1932 elections. Thanks to the stock market crash of 1929 and the subsequent depression the Republican Party has

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lost its great issue of prosperity, and it is doubtful if even a sharp turn in the economic situation could reëstablish it as the sole and infallible source of material welfare and the full dinner-pail. The coöperation pledge of the Democratic leaders last November was shrewdly designed to forestall any such claim and has put the Democrats in a position to claim a full share of the credit for whatever economic betterment may take place in the next eighteen months. On the great subsidiary issues of Prohibition* and water power control the Republicans appear, politically speaking, to have backed the wrong horses, while the excesses of the Tariff Act of 1930 and their failure to solve the problems of farm relief will not work to their advantage in a national election, in which the vote of the unemployed may well be the decisive element. Furthermore, in spite of mutterings of revolt in some sections of the party, they are to all intents and purposes committed to a continuation of President Hoover's leadership in 1932, which renders any substantial reversal or modification of their national policies practically impossible. The Republicans must stand upon their record in office and upon President Hoover, and they will have to face a voting population rendered critical, impatient, and nervous by hard times.

AS AGAINST the obvious Republican dissensions the Democrats present at the moment a comparatively united front, however tenuous the basis for that unity may be. Political starvation has imposed a measure of discipline upon their ranks, and the astute staff work of the Democratic leaders and the Democratic National Committee has manœuvred the party into an advantageous political position. They can not be held responsible for the depression, and they may be able to obtain an important share of the credit for the recovery which is bound to come. On Prohibition and water power their position has been politically sound, and they can make effective capital out of farm relief, the Republican tariff, and unemployment. Above all they have the advantage of being able to attack rather than being obliged to defend, and of being free to select a candidate who will best suit the political exigencies of the times and of a campaign against President Hoover. Their chances of success are considerable, their leaders are alive to the opportunity, and the process of sifting their available candidates is already well under way.

TO ACHIEVE victory the Democratic Party must carry sufficient States to send at least 266 Democratic electors to the Electoral College. The election is by States, not by popular vote, and victory is determined by the preponderance of a candidate in forty-eight individual State contests — indeed, in the true sense of the phrase the expression "national election" is a misnomer. It would follow that the qualifications of the various candidates for the Democratic nomination are to be determined by their appeal to the individual State units, rather than to the country at large, and that the selection of a nominee will in the last analysis depend upon his ability

*Note: — This article was prepared prior to the publication of the Wickersham Report.

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to carry the politically important States. The problem is one of practical politics and the choice of a candidate must be made on practical grounds if the Democrats are to exploit their present opportunity.

Traditionally the nucleus of Democratic strength has long been found in the Solid South, with its 114 electoral votes. However, in 1928 the nomination of a wet Catholic Tammany candidate was too severe a strain upon Southern sentiment and susceptibility, with the result that the party was split and the Solid South was broken for the first time since the Civil War. The defeat of Governor Smith made possible a restoration of the traditional party lines in the South, but the wounds of the 1928 campaign are still tender and a renewal of the so-called Catholic Tammany menace in whatever form would lead to another and perhaps more irreparable split. Even now the influence of Governor Smith and his lieutenant, Mr. Raskob, in the party councils is bitterly resented in many parts of the South and it will be a political task of the utmost difficulty and delicacy to maintain the present tenuous working agreement between the Democracy of the South and that of the wet, urban, industrial East.

FOLLOWING the South the next most important and vital areas from the Democratic point of view are the New York bloc, comprising New York, Massachusetts, Connecticut, Rhode Island, New Jersey, with 89 electoral votes, and the Middle Tier of Ohio, Indiana, and Illinois with 68 ballots. These two areas are among the greatest prizes when counted in votes, and victory in them plus the Solid South will mean victory in the nation. The Insurgent Republican Northwest would appear to offer a tempting field for Democratic invasion, but politically is an uncertain and possibly dangerous quantity. Of this the Democratic party seems well aware, judging by its present coldness to Insurgent overtures in Congress, and it is not probable that it will risk its strength in the East and Middle West to appeal to a dubious Northwest. A more promising area of importance in the struggle for control lies in the border States, Maryland, West Virginia, Kentucky, Tennessee, Missouri, totalling 59 electoral votes, and here the fight will be close and bitter. However, it is in the South, it is in the New York bloc and the Middle Tier that victory must be sought, and upon a candidate's ability to appeal to these areas will be found the criterion for the Democratic party's choice of a nominee.

AT PRESENT there appear to be five available Democratic candidates in the running. Governor Smith, in spite of his great abilities and personal popularity, seems definitely out of the picture. The party does not want and can not afford a repetition of the 1928 campaign with its religious issue and the Tammany stigma to explain away, and there seems to be a tacit understanding in the party that Governor Smith will not offer himself again for nomination. There remain Franklin Roosevelt, fresh from his overwhelming victory in New York; Governor Ritchie, now in his fourth term of office and stronger than ever in his

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State; Owen D. Young, of the Young Plan fame with his powerful financial and business connections; Senator Robinson of Arkansas, Vice-Presidential candidate in 1928 and Democratic leader in the Senate; and Senator Bulkley, newly elected from Ohio. All are men of very considerable capacity and character, and comparison would be invidious save upon their potential ability to carry an election against President Hoover and to appeal to the voters of the vital Southern, New York and Middle West areas. Considered from this point of view their political availability comes more sharply into relief and their respective chances for the nomination may be examined with greater convenience.

SENATOR BULKLEY is no new-comer to political life. After two terms in Congress (1911–1915) he held important positions in Washington during the war period and has now effected an impressive return to the political stage. His victory as a wet against the dry Republican machine in Ohio was spectacular and this, when coupled with the Democratic and wet overturns in Illinois and Indiana, has suggested that he could effectively appeal to the Middle Tier in 1932. While his wet sympathies would find him friends in the East, he is not especially well known either in the East or the South, and as a new-comer to the Senate he is hardly likely to have much opportunity to play an important part in the party activities of the next year. As a dark horse he has possibilities, but 1932 is not likely to find a dark horse in the actual running.

Senator Robinson is better known and occupies a high place in Democratic and national councils. As leader of the Senate Democrats he will be much in the public eye and as former Vice-Presidential candidate he can claim consideration for the Presidential nomination. He is, however, primarily a Southern Senator and his appeal is almost exclusively to the South. As a Dry his value as a candidate in the wet East and rapidly moistening Middle West is distinctly at a discount, and it is not believed that he would be a strong national candidate. Furthermore, his association with the Hoover administration, both as a delegate to the London Naval Conference and as Democratic leader in the Coöperation programme, has rendered him slightly suspect to a number of his Democratic colleagues, which would damage his chances for the nomination. Arkansas does not command many votes either in a national convention or in the Electoral College, and it seems probable that the candidate will be sought in a larger or more pivotal State.

OWEN D. YOUNG is undoubtedly the real dark horse of the party. As Chairman of the General Electric Company he has attained an impressive position in the economic and financial structure of the country. To business men and financiers he offers an assurance of conservatism and stability which can not be ignored. As co-author of the Dawes Plan and author of the Young Plan he has achieved a reputation in foreign affairs second to none. He is being actively supported by a very influential group of New York Democrats in preference to Governor

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Roosevelt and, while he is reported as not wanting the nomination, he will nevertheless be an important contender. Unfortunately for his chances, he is best known abroad and in the financial district of New York, while in the country at large he is little more than a name and will have to combat the irrational but inevitable suspicion arising from his connections with Wall Street and with the power companies. While it is to be doubted whether the water power companies and public utility interests actually present the menace which they assume in the eyes of Senator Norris and his followers, yet it seems true that at the present they have inherited much of the political odium formerly attaching to, let us say, the House of Morgan, and may prove a political handicap in the South and West as serious as was Governor Smith's Catholicism. Probably the ablest of the candidates individually, Mr. Young suggests a little too strongly the Big Business type to inspire the enthusiasm which the Democrats must muster to win; and he is too little of the politician to attempt to do so. To turn the Republican Administration out of office, the Democrats must offer a candidate strikingly different from President Hoover in personality and political philosophy. Such a one is more apt to be found in the ranks of seasoned and well-known political figures than in the world of business, and by this criterion Mr. Young will be at a disadvantage.

THERE remain Governor Ritchie and Governor Roosevelt. Both afford marked personal and political contrasts to President Hoover, and the logic of the situation would suggest that the choice of the Democratic party will fall upon one or the other of them. The two have much in common both in background and outlook. Their records and previous experience are comparable and their ideas are of much the same school of thought. Both have carved out enviable careers in public service and politics, and both have been successful State Governors, perhaps the best single qualification for a Presidential candidate. Both have pleasing and attractive personal qualities; both are eloquent and persuasive speakers; both are known as progressive and forward-looking executives; and either would be acceptable to the conservative business sentiment of the country. Governor Ritchie's emphatic views upon Prohibition and States' Rights have been widely applauded both in and out of the Democratic Party, and his political courage and sound judgment in this respect have been amply vindicated. Governor Roosevelt's outspoken position on Prohibition and upon the water power question have appealed to many, and his New York victories of 1928 and 1930 have effectively demonstrated his ability as a campaigner.

IF ABILITY to carry the vital State of New York were the only criterion, Governor Roosevelt would almost certainly be the nominee. However, in spite of his many qualifications and the active support accorded him by many party leaders, Governor Roosevelt lies under two severe handicaps. For years his health has been precarious and considerable doubt is felt whether he

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could stand the tremendous physical strain imposed upon the incumbent of the Presidency. Perhaps more serious is the suspicion to which he has been exposed that he entertains a too great tenderness toward Tammany Hall. This arises not only from his close relations with Governor Smith and Mr. Raskob, but more especially from the somewhat equivocal stand he appeared to take in the recent judiciary scandals in New York. Granted that his skirts are clean, it is nevertheless evident that the Republicans are in a position to make effective political capital on this issue which might easily assume such proportions as once more to alienate the barely reconstructed Democratic South. Herein Governor Ritchie has an unquestioned advantage. As a citizen of Maryland he would be acceptable to the South, while in the Border States he should prove a strong contender. His wet sympathies and his business conservatism would appeal to the industrial East, and, being free of the Tammany taint, his candidacy would perhaps best serve to hold together the divergent wings of the Democratic party. At present he lacks the substantial and active backing enjoyed by both Governor Roosevelt and Owen D. Young. But much political energy has been displayed by him in the past, and his recent reinaugural address is proof that his candidacy is not one to be lightly ignored.

Whether the choice of the Democratic party falls upon Roosevelt, Ritchie, or another, there will be no lack of issues for the campaign. Prohibition repeal, water power, tariff, farm relief, unemployment, all afford means for capitalizing the resentment, engendered by hard times and economic depression, which is the essential and underlying issue involved. If the Democrats can fix the responsibility for the depression upon the Republican Administration, if they can hold their own ranks reasonably firm, they can justifiably look for success in 1932; the Republicans must pin their hopes to a return of prosperity and an outbreak of Democratic dissensions. These are the lines of battle and on them are based the party manœuvres and alignments now in progress. Whatever the outcome, 1932 promises to be a memorable year in American political history.

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Stables

By Jack Kofoed

In the Ring, as on the Turf, Few Are in the Money

The little gymnasium is half dark, and puff balls of dust squirt up under your feet as you walk about. It is difficult to breathe, for the air is saturated with the smell of ammonia and resin and the sweat of healthy young bodies, and the ventilation is anything but sufficient.

There are four rings and in each one boys are boxing. They go at it hard, eyes narrowed, lips compressed. Outside the ropes battered and rather cynical veterans spit out crisp words of advice. Scattered about the big room are dozens of other youngsters, punching bags, jerking tall weights, or going through involved series of calisthenics. The scene is a bit depressing, even aside from the dim light and lack of decent air. You wonder why these young men are not at work somewhere instead of wasting their time in such doleful surroundings.

From their point of view it is you who are foolish. They are not wasting their time, and they are working. These fellows are prize-fighters, or hope to become prize-fighters, and in no other way can they get into condition for their activities.

They know nothing — except through newspaper reports — of the beautiful estates utilized by Jack Sharkey, Max Schmeling and other princes of the ring for conditioning exercises — estates with outdoor rings, swimming pools and servants. They are particularly pleased, these proletarians, when they can scrape up five dollars a week to pay their gymnasium bills.

It is not only a question of hardening muscles and improving wind in these places. The unknown boxer learns something of his trade here. If he has any native ability at all, he attracts the eye of those sometimes shifty, and always quick-witted gentlemen known as "managers." Without a manager of the right sort no one can go very far, so each is anxious to gain a place in a prominent stable.

"Stable" is a race-track term that has been appropriated by the prize-ring. It means the group of fighting men gathered under the banner of a particular manager. He handles their business affairs, gets them bouts, collects their purses and advances money for their expenses when they are broke. For these varied activities he retains one-third to one-half of

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what they earn. This sounds like a particularly profitable enterprise. In some instances it is. In others the profit is more apparent than real.

Among his fighters Ike Dorgan has a blond middleweight named Harry Ebbetts, who has been nicknamed the "Freeport Thunderbolt" because of his terrific hitting power. Harry was the headlined performer against Phil Kaplan in Madison Square Garden the night Max Schmeling made his American début in one of the preliminaries, and rates from fifteen to twenty-five hundred dollars a performance. In the smaller clubs, though, he works on a percentage, and that is a pure gamble.

One night he fought Vincent Forgione at the St. Nicholas. It looked like a good match, for Forgione had only recently knocked out Doc Conrad. Dorgan accepted twenty-two and one-half per cent of the gross receipts for his man's purse. A storm blew up that evening, lashing New York with rain and keeping most of the prospective customers at home. The twenty-two and a half per cent turned out to be only $475.

TO THE man in the street it may seem that $475 is reasonably good pay for thirty minutes work, particularly since Harry won without extending himself unduly. But let's have a look at the books.

Board at training camp, self and trainer	$100
Equipment, shoes, trunks, etc.	35
Seconds for fight	30
Miscellaneous — train fare, tips, etc.	50
Manager's "cut"	125
	$340

So, $340 of Harry's munificent purse had flown to the winds before a penny of it came into his hands. The remaining $125 represented his pay, not for thirty minutes of struggle, but for two weeks of hard, unremitting toil, and there would be an interval of several weeks, perhaps several months, before he could earn more.

HERE is a list of ten well known pugilists, picked at random, with their approximated earnings in 1929:

Jack Sharkey	$240,000	in 3 fights
Young Stribling	$160,000	in 21 fights
Maxie Rosenbloom	$100,000	in 25 fights
Tommy Loughran	$130,000	in 6 fights
Benny Bass	$ 80,000	in 18 fights
Joe Dundee	$ 40,000	in 3 fights
George Hoffman	$ 30,000	in 16 fights
Babe McCorgary	$ 30,000	in 14 fights
Jack Renault	$ 12,000	in 4 fights
Knute Hansen	$ 3,500	in 1 fight

Let's see how the warriors and their managers fared. The Hansens and Renaults, of course, were not in the dividend paying class. Even the McCorgarys and Hoffmans, considering what a large percentage of their earnings had to be expended in travelling to such widely separated points as Oklahoma City and Haverhill, could not be classed as plutocrats. Even less can this word apply to the preliminary bouts in which they are pleased beyond words to take a battering for a hundred dollars.

When one reaches the upper strata, though, there is a vast amount of money to be made. True, the overhead is rather staggering, but even after that has been deducted there is a huge profit on the year's work.

No one knows where the next great money-making star will come from, so the breed of managers goes

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on hoping — and keeping its eyes open. They haven't forgotten how a shoddy, down-at-the-heels Kearns picked up Dempsey in a Western bar-room and made a million while piloting him into the heavyweight championship. They know that a hack-driver named Buckley tied up with a penniless sailor named Josef Cuckoshay, and out of that combination developed the vast money-earning capacity of Jack Sharkey. They have all heard of how newsboy Tommy Loughran insisted on Joe Smith handling him, and that Loughran became light heavyweight champion of the world. No, you can't tell where you'll pick up a diamond in the rough, so it is wise to look over all the prospects you can.

THEY wander around the gymnasiums — these managers — their practised eyes finding fault with that boxer, or lighting at the unexpected ability in the other one. Principally they look at the big fellows, since heavyweights assay highest in the fistic market. It isn't as easy to find unattached ones as it used to be. They start in the amateur ranks, and if they're good enough to win the amateur championship known as the "Golden Gloves," for instance, they've been given so much publicity that they are tied to contracts long before they become professionals.

Then, there are so many cross-currents in the make-up of a pugilist, so many things that come to the surface only in actual battle. There was Knute Hansen, as an example. He stood six feet four inches in his bare feet, wide shouldered, lean flanked, fast as a whippet and a tremendous hitter. But Hansen was a complete failure. He could box, but couldn't fight. No matter what the stake, the Dane could not seem to whip himself into a proper frame of mind for it. Not one of his handlers ever made any money out of the Great Dane.

Fred McKay was a handsome chap, almost as big as Knute and very nearly as clever. In his day — which was twenty years ago — he became known as a confirmed "tanker." Against a chap he knew he could whip, McKay looked like a first-rate fighting man. Against one of whose prowess he was doubtful, he nearly always took the easiest way out. They said he was yellow and a quitter, and his record seemed to confirm the general verdict. But when the war came along, McKay signed up with the Canadians, and when he died, a company commander, at Vimy Ridge, he had won a score of medals and citations for gallantry in action. Those who had jeered at him in the ring were wrong. He had courage. What he lacked was the proper temperament and instinct for the game he had chosen as a profession.

KID SOCK came to New York from Malaga, New Jersey. He was the bad boy of the town, and had licked everybody around the pool room that was Malaga's sporting centre. So he landed on Broadway, looking for a chance. He found that he had to have a manager, so he permitted himself to be picked up by one of the little fellows who hang on the outer fringe of the racket — a fellow who could get him four-rounders at the Ridgewood Grove, and Canarsie and places like that. There wasn't enough in it to buy beans and

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pay the rent for his hall-room, so he worked intermittently carrying sides of beef at Washington Market and as a helper on a truck.

Kid Sock could hit. He scored numerous knockouts and eventually attracted the attention of a smart fellow who was "in the know." The Kid severed relations with the nickel-and-dime chump who had been handling his affairs. He went into the big stable, and it wasn't long before he was headlined at the Garden. He made money fast, and spent it faster. When he began to fade the Kid was broke, and his manager, having no personal interest in him, sold his contract to a less ambitious pilot for a couple of thousand dollars.

The Kid fell far and he fell fast. Eventually he enlisted in the National Guard so that he might fight at the armories. The pay wasn't high, but he could get a bout of sorts nearly every week, and that meant a living until he went to pieces altogether. Then he went back to a seat on a truck, completely forgotten.

Look around the gymnasium. The youngsters are smooth skinned, well built. They have such evident, bubbling youth. In the motley crowd about them are symbols of what they may become — shambling, stammering, punch-drunk old fighters, who hitch and jerk along and can not talk above a whisper. The recruits pay little attention to them. They see no object lessons in the veterans. They don't believe this gentle racket will ever turn them into things like that, because they are too new at the game to know this is part of its currency.

Whether or not a good looking boy is to be turned into a broken-nosed, flat-browed, cauliflower-eared physical wreck is partly dependent on his manager. Only partly, of course. Look at old Dan Hickey and Paul Berlenbach. Paul was thick and stolid and shambled into battle on the flat of his feet. He could not box, but won his fights sensationally because he walked into his opponents and beat them down with murderous left hooks. His was the prize example of the one track mind.

Paul went down as quickly as he had come up. His stamina evaporated. The sting went out of his blows. Hickey saw that, and though the former light heavyweight champion could have gone along for another year and cleaned up good sized purses, old Dan demanded that he quit the game. What price punch drunkenness, after all?

Berlenbach wouldn't quit.

"Hell," he said, "why should I? I've been boxing less than four years. There are plenty of good fights left in me. I'm going on."

"Not with me," said Hickey, veteran of forty years around the men of the ring. "We've been pals. You're more like a son to me, Paul, than just a guy I'm managing. I'm not going to help turn you into one of those round-heels you see in the gymnasiums. You're going to quit."

But the stubborn German wouldn't leave the ring behind. It was all he had in life; his only interest. He didn't need money, for he had three hundred thousand dollars well invested. But he went on, taking thumpings here and there, and thinking up arguments with which to answer old Dan, who still insisted that he hang up the gloves. When Mike

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McTigue finally knocked Berlenbach out, Hickey had a talk with the boxing commission, a very sober talk, and Paul found his license revoked. He was being protected against his will.

Unfortunately, there are managers who have no personal interest in the men who make up their stables. Boys are thrown into one-sided matches and forced to take savage beatings because there are a few dollars to be made. Or, it may be that the manager overestimates the ability of the pride of his stable.

FAMOUS feuds have developed between fighters and managers. Jack Dempsey and Doc Kearns rode the rods and were hungry together in their early days, but with millions in the bank they became bitter enemies who fought each other through a dozen law courts.

Arthur Bulow brought a shy, almost unknown German boy named Max Schmeling to America. By the time the Black Uhlan had fought his way into a commanding position their regard for each other had turned to hate. Schmeling stayed out of the ring for twelve months and very nearly ruined his career for no other reason than to prevent Bulow from getting a share of the money he would have earned.

The manager may argue, and truly enough, that he has a difficult task. When, as in the case of Battling Siki and Bob Levy, the job includes the additional ones of lunatic asylum guard, nurse and interpreter, it becomes complicated beyond words.

Siki came out of the Senegal jungles to the light heavyweight championship of the world. His magnificent body was slashed and dented with nineteen wounds that he had received while serving with the French Colonial troops. He had the instincts of a savage and the mind of a ten-year-old child. Dozens of times Levy was awakened in the middle of the night to get the Battler out of a station-house cell. Siki was always drunk. When paid off for a fight he gave away his money in handfuls, and in the interim his manager had to buy his food and pay his rent. When Bob signed a contract for a fight he never knew if Siki would come staggering into the ring, or not show up at all.

Levy had few easy moments in all the time he managed the singular Senegalese. And when a dope-crazed gangster eased a knife into Siki's body and left him to die slowly in a Hell's Kitchen gutter, it was Levy who paid for the funeral.

A NEW type of manager has come into boxing, and these are not harassed with such troubles as Bob Levy experienced. E. F. Hutton, the multi-millionaire broker, an amateur enthusiast about boxing, formed a stable of comparatively unknown pugilists and hired a veteran trainer to handle them. Anthony J. Drexel Biddle, scion of a famous Philadelphia family, took over the contract of Rene DeVos, the Belgian middleweight, though he retained Jimmy Bronson, Tunney's former handler, to attend to the details of the business.

These men are not in the game for money. They have, I think, an idea that they may elevate it to their own level; a hopeless plan. Their fighters, though, are fortunate, for they are

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not cast aside for a few defeats. They are not cast aside at all, as a matter of fact, for both Mr. Hutton and Mr. Biddle find places somewhere in their entourage for fighters who have been in their service and who have come to the end of their strings. But these gentlemen and their stables are not really parts of the pugilistic ensemble. The business is merely an amusing side-line, and sometimes an expensive one. When these newcomers find it isn't worth it, they will drop out and leave it to the professionals, who are in there for no other reason than to make as good a living as they can.

THE percentage of successes among managers is no higher than in other fields. In New York and the smaller cities as well, it is easy to find scores of the small fry who eat at lunch-wagons and sleep in cheap rooming-houses. A manager is no more successful than his fighters, and if they can't rise above small purses and infrequent bouts he suffers along with them. The best of them have gone through days when empty pockets and skimpy meals were too common to cause comment. The game has never been as easy as it seemed.

It's a poor business. The sweat and scheming and effort that go into the business of making a fighter and promoting him after he has been built, would make a man successful in far more profitable affairs. Of course, they all think of the big shots that come to some. Even without a Dempsey to attract the unheard of gates that he alone could draw, they can't forget that six heavyweight bouts that featured Jack Sharkey, Phil Scott, Max Schmeling, Otto Von Porat, George Godfrey and Primo Carnera, grossed more than one million three hundred thousand dollars. That is big money whatever way you look at it.

BUT, while most of them go on hoping — fighters and managers alike — they struggle on with the ten-dollar a round preliminary bouts, the two hundred dollar semi-windups and the occasional flares where they split as much as five hundred dollars. Madison Square Garden is as much a stranger to the down-at-the-heels wanderers as the Palace Theatre is to the five-a-day hoofer on the small time. Hope keeps them going — a hope that is seldom realized.

That's why the dark, stuffy gymnasiums are filled with fresh faced boys with boxing gloves on their fists and tired-eyed men in shabby coats and spats, talking in the grand manner about champions and big purses, but always watching — watching —

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The Rebel on the Bench

By Joseph Percival Pollard

A close-up of that remarkable young judge, William Clark, whose Prohibition decision has astonished the country

Mr. Jerome Frank has recently written a provocative book entitled *Law and the Modern Mind*. It is a tearing of the mask from the face of the law, a devastating indictment of the thought processes of men too much imbued with reverence for the fixed authority of the past. From his array of "judicial somnambulists" the author excepts only a handful of progressive jurists and legal philosophers, headed by Justices Holmes and Cardozo. To this meagre list may now, I think, be added the name of Federal Judge William Clark.

For Judge Clark has performed one of the most astounding feats in legal annals. In holding the Eighteenth Amendment invalid because it was ratified by State legislatures instead of by the people assembled in convention, he has done what no other judge had dared to do before him, and what all judges concerned in the matter have refused to do since. He has interpreted a section of the Constitution in the light of an original theory of political science rather than according to judicial tradition. He has ignored the plain meaning of the words of Article Five, the Supreme Court's approval of that meaning, and the practical working of the Article in the history of Constitutional Amendments. Article Five gives Congress the choice of proposing the ratifying of Amendments by State legislatures or by conventions. Every one of the nineteen Amendments has been ratified by the legislative method.

But Judge Clark, not unreasonably, has distinguished the Eighteenth Amendment from all the others; and he has read into Article Five what he thinks its framers would have said had they been confronted with the strange possibility of a Constitutional Amendment forbidding drink. Any such Amendment, taking from the people power over personal conduct and handing it to the Federal Government, should be ratified by conventions of the people called for that special purpose. So when Article Five says "ratified by the legislatures of three-fourths of the several States, *or* by conventions in three-fourths thereof," it means "ratified only by the unusual method of conventions when applied to an unusual type of Amendment."

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Thus to read one's own views into the meaning of plain and solemn phrases, to use over 12,000 words to do so, and in the doing to scatter bits of general quotations ranging all the way from Confucius to Charles Beard, is, to say the least, to expose to public gaze an original, mobile and imaginative mind — a mind which goes perhaps a little farther than that of any of our recognized judicial dissenters.

WILLIAM CLARK (Harvard A.B. 1911, M.A. 1912, LL.B. 1915) was thirty-nine years old when he handed down his Prohibition decision, momentous despite its pending doom upon appeal. But he was only thirty-four when he was appointed by President Coolidge to the Federal bench in New Jersey, and only thirty-three when appointed by the Governor of New Jersey to the Court of Errors and Appeals, the highest court in the State. Prior to his first judgeship, he had been for three years a member of one of Newark's leading law firms, to which he had come upon his return from gallant service as a captain of field artillery in France. Such a rapid rise in a profession dominated by men old in years as well as in ideas, bespeaks a talent which is given to very few lawyers, even bright lawyers whose opportunities for development are as great as those of this heir to the Clark thread millions. But as Jerome Frank points out, the very nature of the law is apt to do strange things to talent. No matter how scholarly and brilliant, the lawyer must have an exceedingly strong personality if he hopes to withstand the assaults of precedent-and-logic worship, the ravages of the law's inherent conservatism. Certainly Judge Clark's Prohibition decision, unsettling a state of affairs which, no matter how unsavory, has existed for eleven years, shows that he, at least, is not likely to succumb.

ODDLY enough, the Anti-Saloon League approved of his appointment to the Federal bench in May, 1925. The mistake was natural. There was nothing in his record of a year and a half on the high State court to indicate that he would kick over the traces. Far from being revolutionary, he concurred in most majority opinions, seldom voiced a dissent, and behaved generally as a young man is expected to behave when admitted to the council table of his elders. Of course, he had practically nothing to do with liquor litigation; that was a field confined almost exclusively to the Federal courts. But even in the determination of normal disputes, both civil and criminal, he evinced little of that independence of thought which characterized the judicial utterances of his colleague, Judge Minturn, who achieved a nation-wide fame for furnishing comic relief to the law by his humorous applications of the old Latin maxims that abound in the books.

Indeed, some of the decisions were anything but liberal. One case involved the construction of a State statute giving preference to soldiers in civil service appointments. Was an army field clerk a soldier within the meaning of the statute? Judge Clark, ex-war hero with a citation for bravery in action, construed the Act strictly to apply only to men in the fighting arm, not to all men in

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the military service. Another case involved the disposition of a joint savings bank deposit. Could a husband whose wife had left him and taken their joint passbook to parts unknown obtain payment of the fund without serving her personally with papers in the suit? Of course he could not serve her personally, so he published a notice in his home newspaper. Judge Clark, delving heavily into the metaphysics of jurisdiction, held he could not obtain the money. And himself an upright family man and the father of three children, he displayed an almost sentimental tendency to deal harshly with erring husbands in several family squabbles which revealed some evidence of provocation unheeded by the judge.

But this was small stuff (perhaps because he was young he was given no opinions to write in broad social problems during his seventeen months on the State bench) and his big work lay before him. As a Federal District Judge, holding court alone in the actual trial of cases, his task was somewhat different from sitting on an appellate bench surrounded by older jurists. It was a little easier to be his own boss. True there was the chance of reversal on appeal, which seems to affect the work of so many trial judges, but to Judge Clark that was a remote consideration after his recent direct and intimate contact with the last word in judicial determination, and he soon became oblivious to the effect his decisions would have on his superiors. He became, in fact, a new person — independent, courageous, questioning and testing old rules to see if they were adequate to render modern social justice. Gradually but surely he began preparing himself for that break from the past, that unheard-of defiance of the Supreme Court, which was wrought by his powerful Prohibition decision. The volcano, some day to erupt, was smouldering and bubbling away, but was not yet ready to pour its lava hot and fast over the populace.

A change from the State bench to the Federal bench involves, among other things, a change in the nature of the disputes which comes before one. Certain types of cases belong exclusively to Federal jurisdiction, among them patent suits. Now Judge Clark knew as little about the complicated mechanics of patents as most beginning judges, but he did the unconventional thing of admitting his ignorance. Writing his first important opinion, in a suit involving an alleged infringement of a patented device for stopping leaks in automobile radiators, he made the following observation:

> The Court, without an assessor, is not sufficiently informed scientifically, to be able to guide the examination towards the most effective arrival at the truth. So strongly does the writer of this opinion feel, even after his brief experience, that he is resolved to take courses in electrical and mechanical engineering. He hopes thereby to make his actual conduct of patent hearings intelligent, in the sense that he will not lose the benefit of meeting the experts upon at least partially common ground.

There, surely, is the scientific spirit so requisite to the proper functioning of the modern mind. Further, he admitted in his lengthy opinion to spending many hours reading patent digests at the New York Public

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Library. And so with all his cases. He does not rely solely, or even mainly, on the briefs of counsel for his information in the matter. He wants to know all about it, and he finds out for himself. His opinions abound in such statements as "Counsel's trouble was unnecessary, because the cases are collected and fully discussed in an article in *The Yale Law Journal*, written with his usual thoroughness and power of analysis by Mr. X"; "The court can not speak for counsel, as the following quotations are not to be found in their briefs"; "The court was somewhat surprised to find that counsel were advocating the convention method of ratification and yet had not referred to the four books which have been written on the use of the convention in formulating and amending Constitutions."

IF SUCH comments reflect unfavorably on the work of the lawyers, they show a rather unique approach to the work of the judge. And so does his suggestion that judges should render a prompt decision first and then be allowed a leisurely period in which to prepare a formal and complete opinion in important cases only:

> So, at least, we think, justice would approach the desirable criterion of speed, and the pronouncements of our courts would be both less numerous, and however limited by the frailties of the individual, at least the result of an original research.

The patent decision above mentioned met with a cold reception at the hands of the Appellate Court. But far from being daunted by his reversal, he rather laughed it off. Shortly after the higher court decided he had erred, Judge Clark had occasion to solve another and similar patent problem. In the course of his opinion he detoured around the facts long enough to glorify his fall from grace:

> After the most thoughtful consideration of which he was capable, the writer of these presents held the patent invalid. Perhaps because it was his first, the subsequent opinion was also the result of long and careful study. In the course thereof, certain criticisms of the Patent Office and the patent system were included. The author of this maiden effort was pleased by numerous written expressions of commendation received from members of the patent bar in various parts of the country who had read it when reported. His human vanity was further fed by a laudatory note printed in *American Law Notes* for May, 1928.
>
> This pleasure was short-lived and this pride went indeed very shortly before a fall. Two months after the argument of the case in the Circuit Court of Appeals, a reversal was filed (one judge dissenting). This court is then placed upon the horns of this dilemma: the writing of no opinion might be interpreted by the learned judges of the Circuit Court of Appeals, to whom we owe both personal and official allegiance, as Achilles sulking in his tent. On the other hand any expression of our thoughts might be understood as an unregenerate adherence to our own views, rather than a properly humble acceptance of theirs.

And he went on to hold the patent in suit invalid, notwithstanding the opinion of the Circuit Court of Appeals!

SUCH independence comes only from a sense of absolute power and security (he has a life job, if he cares to stay). The youthful justice who sat quietly, if not humbly, on the high State bench has developed in a few years into a trial judge able, painstaking, and utterly fearless of criticism or reversal, whose opinions bristle with confidence and finality,

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and, indeed, with quite a considerable ego. The jauntiness here apparent, together with an ironic touch, pervades all his legal writings, and saves them from the dullness which most jurists are unable to avoid. A felicity of expressing legal ideas which in themselves are novel is not often to be found in the tomes. But Judge Clark thinks nothing, for instance, of making suggestions to his superiors: "An expression of opinion on the point from the Circuit Court of Appeals would be valuable to the District Court judges." Or, of making sovereign legislatures feel insignificant: "If the legislature had used words appropriate to the exact situation, this litigation would not perhaps have arisen. But the habit of deliverative bodies is sometimes otherwise, even where the facts are before them." Or, of denouncing the habit which litigants have of rushing into the Federal courts: "These legal skirmishes seem to have taken place in most, if not all, of the United States courts. In fact, the New Jersey District had, until the inception of this suit, almost occasion to feel slighted." "Constantly, certainly, and, we hope, patiently and clearly, we find ourselves explaining why we feel we can not restrain somebody from doing something."

THIS last sad reflection appears in the course of the most important opinion which Judge Clark wrote previous to his Prohibition decision — an opinion involving various points of constitutional law. The interpretation of the Constitution is the most far-reaching part of a judge's task, because it vitally affects people and property in their relation to the Government. Judge Clark had been an ardent student of government long before he was given an opportunity to pass upon its problems. His chance came in 1928, and he tackled it with gusto in the case of *United States v. City of Hoboken*.

HERE the United States Government had sought permanently to enjoin the City of Hoboken from taxing the piers of the North-German Lloyd and Hamburg-American Lines, taken over for war purposes by Presidential Proclamation in 1918. The seized piers had been used by the Government during the war and up through the year 1920 for troop transports and the disembarking of returned forces. After 1920 they ceased to function in a militant way, but were retained for use in the peace time shipping business. The Federal Government, ever zealous to guard its goods from the presumptuous nuisance of State or municipal taxation, naturally stormed into the Federal Court when little Hoboken insisted on making its levy. But it was made anything but welcome by Judge Clark. He almost asked it to leave and tell its troubles to the State Court, but finally decided to take jurisdiction, observing in his pragmatic and modern-minded way that otherwise the case would only mean "delay, increased expense, and no different result." His opinion was long, his conclusions brief. He decided that the broad war power which the Constitution gave to the Federal Government was sufficient to exempt the piers from taxation for the year 1920. But he refused to enjoin Hoboken from levying its

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tax thereafter (he even doubted the power of the Federal Government to engage in the shipping business), and held that any further relief which the Government might seek would have to be sought in the State tribunals.

THE significance of his extensive and learned opinion lies in the light it sheds upon his attitude toward modern social and Governmental problems. Here was a Federal judge who had not forgotten that he had once served the State of New Jersey. Nor had he forgotten his readings in the works of Professor Frankfurter and others who deplored the abuse of injunctions, and the outmoded "diversity of citizenship" rule which enabled Federal courts to usurp jurisdiction, and tended to benefit the powerful party to the litigation, right or wrong. He sees tendencies in modern life that need correcting. And even a light connection between the broad evil and the narrow facts of the case before him is sufficient to put his vivid pen to work. The whole troublesome question of State Rights seemed to him here involved. Because the Nation needed a strong central Government at one time is no reason for that Government, now triumphant, to ignore what few rights the States have left. What was law in the days of John Marshall should not necessarily be law in the days of Justice Holmes. Their philosophies of government differed widely, but they were both right because they served different needs. Times change and the progress that comes to the natural sciences should not be denied the science of law:

> The founders and their prophet, Chief Justice Marshall, had experienced the bitter results of State power and selfishness, and they were determined that the nation, once accomplished, should go forward unhampered. (Marshall, in denying Maryland the right to tax the National Bank, had said "The power to tax involves the power to destroy.")
>
> The course of our history seems to have answered the fears of our great Chief Justice and, in fact, to have given some cause, at least, for apprehensions of an exactly opposite nature. If it has not, Mr. Justice Holmes, with his unfailing genius for expressing fundamentals in a striking phrase, would seem to have done it in his: "The power to tax is not the power to destroy while this court sits."
>
> The immunity of the sovereign from taxation would seem to belong to the legal philosophy of the Middle Ages (the King can do no wrong) and to be as unsuited to modern conditions as the immunity from suit.

JUDGE CLARK'S deploring of the reverence of past decisions for their own sake is everywhere apparent. It is attested by his constant reference to writers who bravely seek to reform the law, be they lawyers or laymen: Beard, Pound, McBain, Burgess. It is shown in his readiness and ability to see through form to the substance beyond, to see the technicalities that may have controlled an old doctrine and the human facts that should control it now. And he himself says:

> This court has never been particularly impressed with the theory, *stare decisis*. It is too often invoked as an agreeable substitute for mental effort. A chief justice of Georgia once remarked that courts of last resort lived by correcting the errors of others and adhering to their own.

Reversing this dictum somewhat, one might almost say that he, Judge Clark of the lower court, lived by correcting the errors of courts of last

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resort. At any rate there must be some element of justice about an old rule that hopes to survive at his hands. There certainly was none about the harsh doctrine which made necessary his services as unofficial mediator in the radium paint cases in 1928. There employees of a watch company, engaged in painting dials, had contracted radium poisoning. But they were unable to collect damages for the ensuing serious injuries, because the poison latent in their system had not come to the front until after the Statute of Limitation had operated. Their just claims for compensation were thus outlawed, and the company, seeking the protection of the law, refused payment. Judge Clark, known to be free from inhibitions which blight the law, was called into the case, and so successful were his powers of persuasion that the company agreed to make ample payment to their afflicted workers.

And so, when Judge Clark took his accustomed seat on the bench on the morning of December 16, 1930, and began to read his opinion in the case of *United States v. Sprague*, the clerk of the court and any others familiar with his record knew just about what to expect. And yet, the full implications of the decision were cause for excitement. One of the longest judicial utterances ever recorded, it was based absolutely on a non-judicial thesis: that the language of the Constitution can, at this late date, be modified by the principles of political science, the Law and the Supreme Court to the contrary notwithstanding! When Felix Frankfurter stated that the Constitution has "ample resources for imaginative statesmanship," he little dreamed that a Federal judge would prove it so completely.

By this decision, Judge Clark proved himself to be one of the few thoroughly liberal judges on the Federal bench. (No one on the Supreme Court is a thorough liberal; for Holmes and Brandeis are both "dry," while the small "wet" voices are those of judges who, in other matters, revere property and federalism.) Whether he had another motive than to do his bit to correct an intolerable state of affairs, I do not know. If he has political ambition, it should not be hard for him to succeed in New Jersey, following Dwight Morrow's example. But in the light of his judicial record, if he, as judge, were merely looking for a way out of the Prohibition dilemma, it is not surprising that he found it in Article Five of the Constitution, despite the presence there of the little word *or*, despite what a fellow district judge meekly called "his Master's voice," and despite any and every thing else. When John Locke wrote, in his *Treatise on Civil Government*, in 1690,

> The community perpetually retains a supreme power of saving themselves from the attempts and designs of anybody, even of their legislators, whenever they shall be so foolish or so wicked as to lay and carry on designs against the liberties and properties of the subject,

he must have had in mind a community wherein Judge Clark held a position of power and security. Whatever the outcome of his *coup de loi* may be, and whatever course his star may take, Judge Clark will forever figure prominently in the history of progressive thought in this country.

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What's Wrong with the Men?

By Louise Maunsell Field

The He-Man Has Vanished from Literature

From the earliest times straight down to the Twentieth Century, literature was devoted mainly to the cult of the hero. Ninety-nine per cent of the fiction of the past centred about the doings of some strong-hearted and usually strong-armed male, an incarnation, more or less complete, of the ideals of the period, fighting as light against darkness, good against evil. From Gilgamesh, Rama, Hercules and all the other heroes of the ancient world, through the *Morte d'Arthur* and the romances of Roland and the Cid, the line runs uninterrupted as far as the later 1920's. Then suddenly it breaks, and nearly vanishes. The all but complete disappearance of the hero is one of the most remarkable, most arresting phenomena of the present day.

If we are to regard our so-called serious fiction as an accurate reflection of our modern life, this phenomenon is not merely arresting, but actually alarming. Not only has the hero vanished, but his place as protagonist is being assigned to the poor fish, who only too often isn't even a respectably back-boned aquatic individual, but a mere jellyfish. At first thought, this change might seem attributable to the fact that so many of our present-day novels are written by women. The flaccid male of *Dark Hester*, whose future his wife and his mother settled between them, literally over his prostrate body, the general flabbiness of Aldous Wyntringham, father of the *Philippa* who gives her name to what is probably the most tearful as well as the most disappointing of recent novels, can be readily if not altogether satisfactorily explained by the sex of Anne Douglas Sedgwick; that *The Fool of the Family* lacks more than the faint vestige of a spinal column while his genius brother is an unmitigated cad can be regarded as a sign of possibly unconscious feminine animosity on the part of Margaret Kennedy.

But what about the novels written by men? In what light do masculine writers see their fellows? Do they regard them as poor, decadent weaklings when they are not more or less clever rascals, and women as being, on the whole, about the only decent representatives of the human race? For the purposes of this inquiry suppose we ignore all serious or realistic novels written by women,

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and confine ourselves to those produced by members of the once stronger sex.

Take some of the outstanding masculine novels of the season and see if in any one of them there is a leading man whom any normal human being, man, woman or child, would care to resemble, since this has always been regarded as the test of the hero. Louis Bromfield's brilliant *tour de force*, *24 Hours*, presents a whole bunch of characters, including at least three women who command some degree of respect and sympathy, one of them being the only important person in the book who is at once forceful, well poised, clear-sighted and likable. But the men — !

WHEN a brave thing is to be done, it is one of the women who does it; even the least admirable among them rises to an emergency, while the man in the case lies prostrate. The only prominent male creature in the book who is neither fool nor weakling is one whose prosperity was founded on a transaction thoroughly shameful, while the upright young man of innocent intent is a good deal of an ass. The worst of it is that these are real people, every one of them, representing many strata of New York life; but while the women embody, some of them, the better characteristics of the special stratum to which they belong, the men exemplify the poorer. Or look at a supposedly rather admirable individual, *This Pure Young Man* of Irving Fineman's somewhat tedious prize novel. Ineffectual, wobbly, a moral coward, virtuous more because of his varied fears than for any other reason, a supposed idealist who when the World War flung forth its challenge ignored it ostrich-wise, enlisting at the last only because he was afraid of what people might say about him if he didn't; what self-reliant purposefulness there is in the book belongs to his sister, Mary Louise. As for his fellow-students, they need no Circe to turn them into swine. If possible, they are rather more contemptible than even the young men portrayed by John Held, Jr. in his *Grim Youth*.

THUS that younger generation which so prides itself on its perfect frankness and honesty. What about the elder? Booth Tarkington's publishers proclaim him the dean of American letters; and his latest *jeune premier* is a jellyfish if ever there was one. Gordon Corning's entire body wasn't worth as much as Edna Pelter's little toenail; a truth of which the author is perfectly aware. In all *Mirthful Haven* there is only one male for whom it is possible to cherish the smallest degree of liking or admiration, and even he showed himself a person of extremely poor judgment in fancying that by marrying Edna he could force the townspeople to regard her as anything save an unscrupulous young woman who had successfully befooled a very old man. Or consider the case of Bart Carter, the central character of Charles Norris's recent novel, *Seed*. Vibrating helplessly between wife and mistress like the proverbial ass between the two bundles of hay, disloyal to both women out of sheer weakness, he is the very poorest of poor fish. But though Peggy, his wife, is a combination of fool and Pharisee, Mildred

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Bransom is an intelligent, up-standing woman who compels respect until the author forces her character entirely out of focus in order to provide his tale with a moral (!) ending.

Nor is it American fiction only that exploits the poor fish. The weak male, playing a very uncertain fiddle to the much stronger female, is an outstanding character in English novels as well. Movie-minded though she was, Jane Bell of A. P. Herbert's notable and altogether delightful story, *The Water Gipsies*, appears positively heroic when compared with Fred or Ernest or the weakly kind-hearted George Gordon Bryan, even though said George did finally muster up sufficient courage to run away from the various females who pursued him with a determination worthy of a better cause. J. B. Priestley's admirable and curiously timely *Angel Pavement* presents a whole group of real people, but without a single man in whom there is any noticeable tinge of the heroic. Only the scoundrel of the piece has any particular strength of character, even though the poor old clerk does contrive at the very last to face the long-dreaded loss of his job with a certain stoicism. Of the two leading men of Somerset Maugham's very entertaining *Cakes and Ale*, one is a schemer whose every thought and act is motivated by self-interest, while the other is gently manœuvred and maintained in a desirable and perfectly insincere pose by his resolute wife, the second Mrs. Driffield. Jim of *The Redlakes* is, it is true, a much better specimen of humanity than either of these; but Francis Brett Young has taken the utmost care not to let him appear in any degree heroic, even while leading him through the difficulties and horrors of the South African campaign.

This same sort of care is one of the special characteristics of the really up-to-date novel. The leading man is seldom really bad; only invertebrate. There is, it would seem, nothing of which the modern novelist, young or old, English or American, is so desperately, so almost abjectly afraid, as of allowing any hint of the strength which might lead to heroism to mar the perfect flabbiness of his leading male character.

And not entirely without reason. Wasn't Ernest Hemingway himself actually accused of being a romantic, because he rashly permitted the narrator of *A Farewell to Arms* to fall thoroughly and wholeheartedly in love? Something which, like heroism, is now regarded as quite unworthy of serious and sophisticated fiction. It is true, of course, that in real life people do occasionally so far forget themselves as to be guilty of heroic actions; but these unfortunate occurrences modern novelists find it perfectly easy to overlook. Even the historical novel has fallen into line, and is disdaining heroism as old-fashioned. Didn't Rafael Sabatini choose for his latest tale the story of Robert Carr, *The King's Minion*, who really wasn't much better than a young man of the present time? Or rather, of its fiction. For the old convention of the chaste heroine and the gallant hero is one from which the modern novelist recoils with such

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unutterable horror that brave men are becoming rarer than black swans; in fiction.

Does all this argue a new and unaccustomed humbleness of outlook in the male? Is the modern masculine author afflicted with such a painfully keen sense of his own deficiencies that he feels obliged to credit his male characters with worse, and more of them? Or is it due to a not particularly subtle form of vanity?

Are men making themselves out worse than they think they are, in order that they may have the pleasure of being assured that they are better than they know they are? It can't be that all the men who write serious fiction have suddenly and as it were unanimously become convinced of the general contemptibility of their own section of humanity. Nor can they all have been abruptly afflicted with an inferiority complex which makes them delight in presenting other men as despicable in order to feel that they themselves are by contrast really quite admirable. Or have the much vaunted achievements of women caused a new and curious modesty to attack men like an epidemic of whooping-cough or measles?

Strangely enough this disease, if disease it be, would seem to have entirely spared the producers of one especial type of fiction. For the hero has found a refuge, and taken effective revenge on his disclaimers by making that refuge extremely popular. The present astonishing vogue of the detective story has been attributed to everything from the panic in the stock-market to the incomprehensibility of Einstein, but the truth is that it is largely if not solely due to just this fact; that in it the hero has taken shelter from the blasts of disapproval that have raged around his unlucky head. Unlike the serious or sophisticated novel, the detective story always gives occupation to a hero; its leading man must meet danger gallantly, be cool, astute, unselfish, even chivalrous, finding reward for all exertions and difficulties in the triumphant vindication of accused and injured innocence. He may even, on occasions, rescue the heroine! Not only does crime (preferably murder) fiction provide sanctuary for the hard-pressed hero; it also enables him to assume guises once deemed altogether unsuitable.

The detective story is read by all sorts and conditions of men for the very reason that among the dozens upon dozens of fictional hero-detectives whose lives are just one thrilling adventure after another, every man can find at least one whose identity he may himself adopt, one in whom he can not merely see himself, but see himself doing the things he would like to do and winning the applause he would like to command. And this no matter what his temperament or physique may be. Unless possessed of a quite exceptionally vivid imagination, it might be a little difficult for the middle-aged or definitely antique father of a family to see himself as the dashing young hero of, for instance, the old-time historical novel; but he can find a detective to fit without any very strenuous effort, and so experience vicariously not one but a whole series of thrilling adventures.

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Is he unpleasantly conscious of possessing more than his due share of avoirdupois? There is Anthony Wynne's kindly, astute Dr. Hailey, the very fattest of fat physicians, not to mention G. K. Chesterton's dusty little priest, the psychologically inclined Father Brown. Or is he diffident, retiring, the sort of man who would rather face a den of thieves than a woman's club? He can find solace in the experiences of Ambrose Chitterling, who recently discovered the truth about the exceedingly perplexing *Piccadilly Murder*, and thereby saved an innocent person from the somewhat disagreeable fate of being hanged. Some little mannerism may have been a life-long torment to him; Lance O'Leary's nervous fingers roll a stub of pencil as he pursues his way through the hair-raising intricacies of *The Mystery of Hunting's End*, as well as during his triumphal progress amid the shuddering horror of those dreadful things that happened *While the Patient Slept*.

To the detective story hero, even old age is not a barrier to achievement; Professor Brierley was quicker-witted than any of the younger men about him when it came to perceiving the awful truth about *Murder from the Grave*. Tall or short, thick or thin, young or old, every man can find a detective to suit. The terrible handicap of blindness itself may be overcome. Ernest Bramah's brilliantly clever Max Carrados discerned what was hidden from others, although *The Eyes of Max Carrados* were sightless.

Nor do professions make any great difference, though the advantage is perhaps a little with the scientists. Conan Doyle once declared that when a doctor did go wrong he was the most dangerous of criminals; he is also, it would seem, among the most astute of detectives. Witness Dr. Thorndyke, the medico-legal gentleman of R. Austin Freeman's creation, whose latest achievement was the discovery of *Mr. Pottermack's Oversight*.

But since a good deal of leisure is one of the most important requisites of an amateur detective, practising physicians are less frequently encountered than those who have either retired, or are busy with some special research work. When *Dr. Priestley Investigates*, the unexpected comes to light, and if Scotland Yard finds itself confronted with some apparently unsolvable mystery, *Mr. Fortune Explains* the entire affair, to the reader's complete satisfaction. The ex-military man, for this same reason of needed leisure, is active in the detective field, especially in English stories. Colonel Gore has solved a whole list of puzzles, of which the bewildering *Murder on the Bridge* is the most recent; Colonel Anthony Gethryn found *The Link*, and so saved an innocent man. Newspaper men too are numerous, and there are professional investigators to suit all types. The man who knows himself a plodder, patient and painstaking, usually finds small comfort in fiction, but he can exult over his prototype, Freeman Wills Crofts's hard-working Inspector French, whose infinite attention to detail had ruined many a neatly constructed plot before he unmasked the gruesome one which was connected with *Sir John Magill's*

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Last Journey, while the man who is fortunate enough to be of quick wit and impish humor may readily identify himself with one of the very best detectives known to fiction, A. E. W. Mason's Hanaud, of the Paris Sûreté.

EVEN the man without any profession at all, who in American fiction is usually treated as one of the lowest forms of animal life, has a chance to play the hero among murderers. Lord Peter Wimsey is always both likable and successful, though in his experience with *Strong Poison* he was badly handicapped by falling in love, while one of the best-known detectives in fiction, Philo Vance, is a dilettante when not engaged in solving such sinister riddles as those propounded by *The Green Murder Case* or *The Scarab Murder Case*. But though these investigators, professional and amateur, belong to every known type and range in temperament, from the Gallic quickness and gaiety ascribed to Poiret and Hanaud to the British thoroughness and tenacity of Inspector French and John Ringrose, there is not one of them who ever whines; not one of them who lacks courage, not one who is mean or treacherous, not one but can rise gallantly to an unexpected emergency or risk his life without making the least fuss about it, not one but possesses some at least of the qualities normal men would like to regard as their own. And then too there are so many things they can do, quite as matters of course, which most of us hanker to do and either don't dare or lack opportunity to venture, like pulling the emergency signal on a train, giving orders to formidable-looking policemen, walking calmly into places forbidden to the general public, or indulgently explaining to an admiring but bewildered audience the facts in the case of some mystery which has completely bemused the District Attorney's office, or even Scotland Yard! Puzzles are interesting, thrills exhilarating; but the lure of the hero, confronting danger and doing extraordinary things as calmly as if they were just nothing at all, is entirely irresistible.

PERHAPS this is why so many writers are turning to the crime story. Elsewhere, as has been said, heroism is out of fashion. Modern biography, an article recently published in THE NORTH AMERICAN REVIEW declared, devotes itself enthusiastically to the process known as debunking, which has developed from a pastime into a passion, and much of the spirit which permeates modern biography pervades modern fiction. In both, cynicism is frequently mistaken for sophistication, and the one great ambition of the average modern author is to appear sophisticated. The same desire to belittle, to convince themselves and others that mankind is fit only to be sneered at, which seems to be the underlying motive of a good deal of biography, is quite as influential in fiction. Only those who concern themselves with crime and criminals dare to maintain that the general run of humanity is really not half bad. The reading public, take it as a whole, is astonishingly humble-minded; it admires what it is told it ought to admire, and reads the books prescribed for it, accepting

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doses of debunked biography and disillusioned fiction as meekly as it swallows spinach and Bulgarianized milk. But the very meekest do revolt occasionally and this same public indulges in detective stories as in ice-cream sodas, apologetically — and persistently.

Those of us who have read history elsewhere than in school are likely to have, however, a deep-lying skepticism regarding radical changes in human nature. Environment alters; knowledge expands; the point of view shifts, more or less accordingly; but fundamentals remain. This skepticism makes us doubt whether, despite our fictionists, the men of today have so abruptly and generally lost all vestiges of that spinal column their ancestors undeniably possessed. Modern novels to the contrary, it does seem just a little improbable that practically all males should suddenly have lost the qualities which through the ages have made heroes out of some of them. Is it possible that the disappearance of the hero is only a matter of selection, and of fashion? That he is merely suffering a temporary eclipse, while the so-called modern spirit drags the totally unheroic into the limelight?

There is no force more powerful than that of current fashion, and it may well be that the *genus homo* is not really in the least degenerate, that only in fashionably modern fiction has the process of evolution been reversed, and man reverted to the jellyfish!

March

By Robert B. Gray

Hail, March! The tulip and the daffodil
Are swarming in their elfin, gay delight
Over the laggard winter's train like dawn
Dancing upon the tattered gown of night.
Patters the rain! Where stubborn snows, withdrawn,
Reveal a patch of green on russet hill,
Aladdin-conjured, wings a magic flight
Of flame-red tulip — yellow daffodil.

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Single Blessedness

By Mitchell Bronk

Marriage Is a Partnership as Well as a Lottery

We may be drifting into a social code where it will be otherwise — feminism and the various women's movements are said to imply that — but hitherto the blame for old-maidenhood has supposedly rested upon the shoulders of the male sex. Therefore let a satisfied Benedick explain why, in his estimation, spinsterhood still exists.

The trouble with far too many women who are in the matrimonial market is that they have nothing in particular to recommend them; to "sell" them, as is said in the business world. It is stupid of them not to see this. They wonder why they never get proposed to; but why should they be? The man, young or old, who is out wife wooing isn't going to marry a creature simply because she is a female, or because she happens to be sitting by the side of the road as he passes.

Let the young woman matrimonially envious look about, be a little observant. She will find that the object of her jealousy possesses some marked attraction that draws into her train the crowd of suitors, and ultimately lands her a husband. It may be a pretty face; or a fine taste for dress and skill in "getting herself up" that makes her pass for good looking; or kittenish ways, which do fascinate many males; or entertaining intellectual brilliancy; or shining social gifts; or an inborn or acquired domesticity which assures the wooer that with her he would always have a pleasant home; or a superabundance of good nature, a quality that goes far with men; or a masterfulness that overcomes him; or it may be that most sordid of attractions, the present or prospective possession of a lot of money — always there must be something.

If the girl or woman who hankers for matrimony is without at least one of these or the other attractions that might be named, or isn't willing to cultivate some such "drawing power," her case is hopeless; she isn't likely ever to wear orange blossoms. Marriage, in short, is a partnership as well as a lottery, and if a woman is going into it she must expect to "put up," against the stock in trade — from her point of view the "desirabilities" — that are coming from the other party.

The average bachelor woman should, however, take courage. The tastes of men are varied and in-

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explicable. Let her light her lamp and shine! The chances are that somewhere there's a bachelor man who will fly into her flame. If this does not happen, and she honestly knows that she is built for wifehood and is not entirely lacking in the things that are supposed to attract men, let her go out and hunt. If she thinks that such a course is unwomanly, or bad form, or in any other way objectionable, she's so wofully antiquated and unenterprising that she doesn't deserve a husband. Some of the happiest matches that I have known (whether made in heaven or not) were certainly made by the woman herself. The men who are not asked are as numerous as the women who are not asked. Many spouseless men stand year after year on the brink of benedick-tion, waiting only for a push; and why shouldn't the interested woman be the one to give it?

A FORBIDDING countenance, or at least that lack of beauty which we term plainness, is ordinarily attributed to spinsterhood. It would be rash to deny that a pretty face is a great asset to any woman man-hunter. The physiological and psychological reasons why this is so are obvious. Anyhow, husbands like, as well as other people, to be surrounded by beautiful things, and the prospective husband knows that he will be surrounded by his wife's countenance a whole lot. Instinctively men sense that beauty is more than skin deep; believe, with Emerson, that "all beauty warms the heart; shows health, prosperity and the favor of God"; and with the ancients that the face is the mirror of the soul.

But the old maid and the plain young woman should have some direct things said to them right here. Most homely women seem to be possessed to be so. We are weary of listening to the whining of the *feme sole*, "If only I were as pretty as Mary Ann or Mary Jane!" or, "Men never become interested in me, I so sadly lack the catchy face that always wins them!" We observant, philosophical males wonder. We look around us and see such a host of married women who decidedly are not what we would call good looking. Yet they have desirable, even ideal, husbands.

How did they do it? Then let us add — it's a man's word, but an important one for the single woman who would be double — there are not many homely faces that could not be made reasonably beautiful; at any rate, sweet, which amounts to the same thing in the eyes of most men. By cosmetics, and all that sort of thing? Yes; but more especially by the smile that won't wash off; and jollity and hearty laughter; and a good circulation and digestion, superinduced by plenty of sleep, exercise, fresh air, and the right kind of food. Such cultivated, within-your-reach good looks may not put you into a beauty contest, but it will be beauty enough to satisfy and attract the desirable husband. Study the early life of the buxom lass who became the dazzling Lily Langtry. Remember how men thronged the plain Madame de Staël and the homely George Eliot; and how loveliness broke through the ugliness of Eleanora Duse's face.

That mention of cosmetics sug-

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gests the delicate, or indelicate, subject of personal untidiness as a promoter of old-maidenhood. Repeatedly women have deplored to me their singleness, saying over that everlasting "Why?" and I did not dare tell them, as I am telling them here, that it was not the lack of a captivating face, but the lack of a bath a day; that it was the breath malodor, or the uncared-for finger nails, or the unsightly teeth, or the unshined shoes and unbrushed coat, or the unbecomingly coiffured hair, or the wretched taste in dress — every one of which things, notice, is easily remediable — that was standing between them and the coveted favor of the other sex. Men of the better sort, that is. The men to whom these little matters make no difference our women readers, we assume, leave out of account.

IN THIS same connection, let it be emphasized that ill health is no lure to the normal-minded wife seeker. In our grandparents' day it was otherwise. Frail flowers were then on the market and much sought after, especially by big and burly males — of the "cave man" species; even the consumptive cough called them. Today it is different. In these Nineteen thirties Robert Browning would have eloped with a world champion tennis player, channel swimmer, or aviatrix, instead of the invalid Elizabeth Barrett. Yet one still finds unadvised females who seem to think that their complaints and weaknesses will interest and appeal to the men who are paying them court, or who stand a chance of doing so. They are deplorably in the wrong. Most men have sympathy with suffering and bodily affliction in woman, but are disinclined to marry the objects of such sympathy; are shooed off by "poor health."

No inconsiderable number of women desirous of marriage and who are in many ways attractive and endowed with varied wifely recommendations fail to win the men who pay them attention because of their sheer tiresomeness. Over and over again men have confessed to me that such and such a young woman was all right for a dance or two, for a summer vacation flirtation, but that the thought of spending a lifetime, even a short one, with her was horrifying. They are fortunate if they find that out in time! Divorce, anyhow, frees husbands and wives from a magnitude of tediousness. To be eligible, the maiden or widow must possess in addition to some of the other qualifications that are being suggested "staying power"; must be the kind of woman who is likely to celebrate her golden wedding, as well as the initial one. For however common divorce is becoming, few men marry with it in view.

A MAN of my acquaintance became greatly interested in, that is, deeply in love with, a certain young woman. This interest and affection were as warmly returned. There was all the staging of a conventional lived-happy-ever-after playlet. They were eminently suited to each other. Yet nothing came of it. My friend was a rationalist, in the sense that he always let his head and not his heart direct his actions. This is the explanation of the fiasco of his *affaire du cœur* that he gave me: he wanted the girl, but did not want her family;

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and it seemed that the one would have to go with the other. Some of them were nice, but others were not; were impossible; at any rate were people that he did not want to tie himself up to. If he could have married the girl and gone off with her into the wilderness somewhere, or to Europe to stay, nothing in all the world could have prevented him from making her his wife. But ordinary married couples can not live after that fashion.

In almost every instance there is a family, or part of one, that must be counted in with bride or groom in the marriage contract; and not infrequently they're impedimenta. This theme has been exploited threadbare by the novelists, and in the face of all that they have set forth it is surprising that this reason for men, and women, not marrying is so often overlooked. What is the woman, who is thus handicapped, going to do about it? I don't know. She can hardly kill off all her relatives just for the sake of getting married! She can only trust to luck, somewhere, sometime, to come across the exceptional suitor who will care for her so inordinately that he will not let her objectionable kindred stand in the way.

It will be suggested that I am taking no account of that very important ingredient true love, which presumptively knows no obstacles. Perhaps sometimes it doesn't. But I am remembering that this is a very practical, pragmatic, unromantic, calculating age in which we are living, and that it has squeezed no end of sentiment out of marriage, as well as various other phases of life.

It strikes one as odd that men, who are notoriously addicted to gambling, frequently refrain from matrimony because they know that it is indeed a gamble; they decline to take the chances. The bad luck of some of their friends at the game perhaps frightens them. This is why young men, who are naturally more venturesome — to say nothing of their unwisdom — have less hesitation about taking the leap into the married state. Widowers, also, are daring in this respect, having learned by experience that sometimes you win in the game.

There is scarcely, as is commonly supposed, a mercenary side to this problem of non-marriage. If a man wants to marry for money he will find plenty of opportunities to do it; and it's his own business! But, notoriously, rich men are constantly marrying poor girls, and *vice versa*. Poverty, even abject poverty, does not seem to hurt a girl's "chances." The rich old maid is no rarity. Some men, it is true, refuse to venture into wedlock because it will mean a curtailing of their pleasures, comforts and sacrifices that they are unwilling to undergo. But the number of such men is not large.

A famous actress, who is also distinguished for her purity of life and high ideals, in discussing recently the popularity of certain women stressed in particular the sex appeal of these women as a factor in such popularity; with men, that is. We all understand what she meant. Let it be insisted that there is nothing *per se* shameful or sinful about a pronounced sexuality, in man or woman. Like God's other gifts it is unequally

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distributed. Thus some women possess it in large, some in slight, measure. When it is lacking the woman may be very good, and good-looking, and attractive in divers other ways, but she is not likely ever to be ardently sought in marriage. Such women are sometimes classified under the designation "cold." They occasionally make good marriages — especially in middle age — and become ideal wives and mothers; but the chances are against it. From their ranks the ancient and honorable order of old maids is in great part recruited.

Yet this should forthwith be added: the larger proportion of the bachelor women of this class don't care; are not worrying at all about the fate of spinsterhood; have little desire or ambition to be married. They have other interests and concerns. They are playing today and are destined to play in the future an outstanding part in the world's affairs. Accordingly, one need not waste much commiseration upon this kind of maiden lady. They don't need it and don't want it. We men take off our hats to them!

Before Spring

By Anne Blackwell Payne

I met him in a drizzle
With mud upon his shoes,
But swaggering with the symptoms
Of gay, momentous news.

He fluttered like a banner;
It would not let him rest,
It trembled in his pinions,
It burned upon his breast.

And ever since I saw him
I'm very still to hear,
Like one who waits for music,
The dainty hoofs draw near.

The golden wheels turn faster.
O, delicate approach!
Soon down the windy highway
Will swing an emerald coach.

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Labor Turns to the Injunction

By Alpheus T. Mason

A notable triumph of labor in the recent Railway Clerks' Case, decided May 26, 1930, passed almost unnoticed. For the first time in a decision by the Supreme Court this case demonstrated the effectiveness with which the injunction can be employed in behalf of labor.

Ever since the 'Eighties the injunction has been the most important legal weapon in an employer's hands against acts of organized labor. Laborers have chafed under the fact of its judicial sanction; government by injunction has long been a byword; nor has labor been passive to the ever-increasing use of the injunction. Indeed, hardly a session of Congress since 1892 has not seen measures introduced to rid organized labor of the injunction incubus. These efforts, in the course of time, were rewarded; both Federal and State anti-injunction legislation has been enacted. But the courts have found these statutes either largely declaratory of existing law (as was true of the labor clauses of the Clayton Act and certain State enactments), or wanting on grounds of constitutionality. Criticism of the judiciary bristled afresh; new measures of relief were proposed. Indeed there is now pending before Congress a bill which certain writers have declared to be "the most considered legislative effort that has yet come before Congress attempting to grapple with the difficulties of intervention by law in the controversies of industry." Thus one chief objective of the American Federation of Labor is still to secure an anti-injunction measure which will meet the needs of organized labor and also satisfy the canons of constitutional interpretation.

Few appreciated, apparently, that there might be other ways to meet the injunction evil. It remained for *The United Mine Workers' Journal* to point out another approach to the problem.

After the famous Coronado Case, (1922) wherein Chief Justice Taft held a trade union to be suable, although unincorporated, the general feeling among labor leaders was of discouragement if not of despair. *The United Mine Workers' Journal*, however, had a more optimistic outlook. Unlike *The American Federationist*, this magazine regarded the Court's decision as of great importance to the union cause: "It has long been a popular pastime with employers to rush off to the courts and ask for an injunction every time a labor union dared to make its ap-

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pearance in their neighborhood. . . . If labor unions would fight such employers with their own kind of fire it would not be long until the injunction process would be as unpopular with employers as it has always been and still is with employees. Coal operators secure injunctions to prevent strikes. Labor unions could secure injunctions to prevent lockouts. The decision of the Supreme Court in the Coronado Case opens the way for just such protection. This is one of the very interesting and important features of the decision."

SINCE this comment, events in the field of American industrial relations have been taking a somewhat novel turn. Labor unions themselves have been using the injunction to promote their own purposes and protect their own interests. Damaging as several Supreme Court decisions have been to organized labor, it now appears that matters take on a more favorable aspect.

The most significant illustration of labor's success in its effort to turn tables on the employer, is found in the above instance of the Railway Clerks' Union. This case was said by one labor periodical to be "as unusual as would be the case of a man biting a dog." Its novelty lay in the fact that the Brotherhood of Railway Clerks applied for and secured an injunction against the Texas and New Orleans Railroad, which, in violation of the Watson-Parker Act, sought to prevent an increase in wages by forming a company union with whose representatives the company proposed to deal exclusively.

Congress had provided in the Watson-Parker Act of 1926 that railroad officials should treat with employees' representatives chosen by the workers. Contrary to Subdivision 3 of Section 2 of this statute, the company itself began to form a union. Pressure was brought to bear on members of the Brotherhood to withdraw from their own organization and make the company union their sole representative in all dealings with the road. The effect, of course, was to deprive the employees of the protection of their own organization — their chief dependence for fair wages and proper working condition. In the words of the District Court, it was so arranged that "the railroad would be in position of surely having a vote (in mediation and arbitration conferences) on both sides of the table, its own side and that of its employees."

THE Brotherhood proceeded to rid itself of the company union in a somewhat novel and unusual manner. Strikes, boycotts and picketing formed no part of its programme. Relying upon the provisions of the Watson-Parker Act, the Brotherhood appealed to a Federal District Judge, J. C. Hutcheson, Jr., for an injunction against the road and certain of its officers, restraining them from interfering with the clerks' union and from displacing their organization as representative of the employees. Railroad officials, so it appears, paid little or no attention to the court's order, whereupon counsel for the Brotherhood went into court with no less than one hundred counts alleging violation of the restraining order. The case went to trial and certain railroad officials were found guilty of contempt. The railroad appealed,

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with the result that the judgment of the District Court was affirmed. The Company then secured a writ of *certiorari* and carried the case to the Supreme Court. Here a unanimous bench, speaking through Chief Justice Hughes, denied all the contentions of the petitioners.

FOR labor the most important point is that Section 2 of the Watson-Parker Act confers a substantive right and not merely, as counsel for the petitioners argued, an abstract right. The consequent right of the union to be represented by persons of its own choosing, and the obligation of the railroad not to interfere with employees' freedom to organize, the judges held, could not only be enforced in the Federal Courts; it was a right enforceable also by the extraordinary process of injunction.

Counsel for the petitioners argued further that the Federal Court was without jurisdiction because property or a property right, as required by Section 20 of the Clayton Act, was wanting in this dispute. To this argument the Chief Justice demurred, saying that he doubted whether Section 20 could be regarded as limiting the authority of the court to restrain violation of an express provision of an Act of Congress. But even granting that it was necessary to show a property interest, Chief Justice Hughes maintained that "there was such an interest with respect to the selection of representatives to confer with the employer in relation to contracts of service."

This case involved a dispute in interstate commerce, the control of which is authorized by Act of Congress, but the implications that flow from the opinion of Chief Justice Hughes are far-reaching. Since the right to work, the right to bargain collectively, and the right of the union to choose its own representatives, are all property rights, such rights when invaded are entitled to equitable relief. Since a company union under the influence of the employer prevents workers from faring as well financially as they would if represented by their own union officials, such organization denies workers their due enjoyment of a property right. Weighty evidence of the financial interest which the employees had at stake was produced in the course of the trial. A letter from the vice-president of the railroad, Mr. Lull, to the president, Mr. MacDonald, revealed Mr. Lull's opinion that if the matter of higher wages was entered into with the Brotherhood, it would be necessary to increase the pay-roll $340,000 a year, whereas settlement with their own organization could be made by a wage advance not exceeding $75,000 a year! But even though the company union interferes with property rights, it is extremely doubtful whether a trade union could secure an injunction against its continuance without legislative sanction such as was afforded in the Railway Clerks' Case.

IN THE light of Chief Justice Hughes's opinion it would seem that the trade union has come to bear such a close relation to the public welfare as to justify legislative interference with freedom of contract to secure its promotion. It is hardly necessary to say that the interpretation which the Supreme Court placed

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on the phrase "liberty of contract" in the cases of *Adair vs. United States* (1908), and *Coppage vs. Kansas* (1914), has long since been denied by economic and social facts. Certainly in the economic sphere there is never liberty of contract until there is equality of bargaining power. Chief Justice Hughes has now almost reached this conclusion. In fact his position is not far removed from that taken not long ago by an arch-Liberal, Mr. Justice Holmes, that "the union alone furnishes that equality of position between the parties in which liberty of contract begins."

LET it not be supposed that this is the only case in which labor has successfully prosecuted a suit in equity against an employer. Court records disclose no less than seventy-odd cases, State and Federal, in which labor has appeared as party plaintiff in injunction cases.

The first to attract widespread attention was *Schlesinger vs. Quinto*, a New York case decided in 1922. Here the New York Cloakmakers had entered into a trade agreement with an employers' association to substitute a week work system for the so-called piece work system. In the face of this agreement the association adopted a resolution that beginning at a specified date its factories would run on the piece work system. The union appealed to a court of equity and an injunction was granted enjoining the employers' association from violating its contractual obligation. Mr. Justice Wagner, now Senator, who spoke for the court, made a point of the novelty of the case:

"The fact that employers have entered equity's threshold by a hitherto untravelled path does not lessen their right to the law's decree. Precedent is not our guide in deciding these disputes, for many are worn out by time and made useless by more enlightened and humane conceptions of justice. That progressive sentiment of advanced civilization which has compelled legislative action to correct and improve conditions which a proper regard for humanity would no longer tolerate, can not be ignored by the Courts."

THE Schlesinger decision supplied a precedent for several other decisions in New York and elsewhere in which a labor union successfully appealed to a court of equity for protection against illegal acts of employers. A very recent and especially interesting case is that of *Ribner vs. Racso Butter and Egg Company*, New York, 1929. Here the employer had entered into a contract with the union to discharge any employee upon receiving official notice from the union that said employee was no longer a union member. In violation of this agreement the employer retained three workers whom the union had expelled for nonpayment of dues. The employer was duly notified of the facts but he refused to discharge them. Pleading that the employer's breach of contract lowered the prestige of the union in the eyes of both members and employers, and that there was no adequate remedy at law, the union sought relief from a court of equity. A restraining order issued and the judge took occasion to commend the union for seek-

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ing the equitable remedy rather than resorting to more violent methods.

"It is proper and praiseworthy," he said, "that a union, as in the instant case, having entered into a contract with the employer and feeling aggrieved because of an alleged breach thereof by the employer, should come into a court of equity and there seek the protection of its rights, rather than resort to picketing and strikes to redress its wrongs, with the resultant effect upon the orderly conduct of business and inconvenience to the public."

DESPITE the whole-hearted manner in which the various courts have sanctioned labor's recent effort to deal with offending employers by peaceful appeal to a court of equity, there is still good reason to believe that the injunction will never serve employees as effectively as it has the employer. In the first place, although the radical unions have been deeply gratified at the success which has attended labor's use of the injunction, the injunction is still regarded among conservative trade unionists, such as representatives of the American Federation of Labor, as the iniquity of iniquities. Convinced as they are that equitable intervention in industrial disputes has always been unfair and unwarranted, trade unions regard labor's use of the injunction as nothing less than a delusion and a snare.

But there are other reasons for questioning the injunction as generally effective means of combating unlawful acts of the employer. Successful labor activity requires concert of action and widespread publicity. A successful boycott depends almost entirely upon publicity. The same is true of picketing. In the course of both of these activities violence and damage to property and property rights frequently result, and in the suits for equitable relief that usually follow, employers are seldom at a loss for evidence to support a true bill.

IN THE case of the unlawful activities of employers, the facts are entirely otherwise. Seldom indeed will an employer be so remiss as to allow inside information of damaging sort to leak out only to be produced as evidence as was the now famous letter in the Railway Clerks' Case. Blacklists and lockouts, the most objectionable capitalistic activities, are generally considered unlawful and subject to be enjoined, but employees frequently experience no little difficulty in securing sufficient evidence to support the fact alleged. The reason is clear.

The success of a blacklist depends absolutely upon secrecy. A lockout may quite conceivably be made to appear as the inevitable result of economic forces rather than prompted by the malicious motives of the employer.

But all this is not to deny the notable success that has attended the already frequent use of the injunction in behalf of employees. The writ of injunction is now definitely established as a means by which unions can fight employers with their own fire. The effect in the long run must be to equalize and stabilize the observance of contract obligations between capital and labor.

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If Only Policemen Could Sing!

By T. Swann Harding

A Swedish Masseur Tells Some Profitable Tales

In a moment of synthetic comradeship, during which he sought to deflect my mind from the obvious fact that he was pounding the devil out of me, and from the further reflection that it would be decidedly more economical for me to exercise than to be massaged, my Swedish medical masseur recently told me three exceedingly interesting stories. These stories indicated a turn of mind and a way of thinking so diametrically antipathetic to anything regularly on exhibit in this country that they momentarily amazed me.

Story number one had reference to a quite ordinary Swedish police officer patrolling his beat. He encountered there a drunken gentleman in civilian clothes and, in the humane Swedish way, suggested that he go home quietly. The gentleman refused and, instead, insulted some ladies who were passing. The policeman kindly warned him a second time — courteously and without even threatening to wind his baton about the gentleman's neck, or making any derogation whatever about his ancestors. The gentleman again refused and started to sing. That was almost too much for even a Swedish policeman to bear, but he warned him a third time, as he was legally compelled to do. Polite suasion proving impotent, the policeman arrested the gentleman and propelled him to the equivalent of our police sergeant, who at once said: "You are aware whom you have arrested?" The policeman replied: "I am; it is my precinct captain; but I know of no legal right a police captain in civilian clothes has to be drunk on my beat, to insult ladies there, and to make himself a nuisance by loud shouting." The captain was duly reprimanded and fined. The policeman was promoted, but he continued to remain at the same station-house (to use our terms) and to serve under the same captain, and there was no bad blood between them.

The second story concerned a young customs officer, who observed that the room of the steward of a certain transatlantic liner was full of boxes of cigars each time she made port from America. But after his superior, a lieutenant, visited the steward's room there were not so many boxes of cigars there, and the lieutenant's embonpoint was notably increased as he left the ship. The

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young man concluded that cigar smuggling was going on under his nose, and it seemed never to occur to him either to ignore it or to blackmail his superior for a promotion in return for his silence. Instead, he struck his superior smartly as he left the boat; the cigar boxes betrayed themselves and, subsequently, he became a lieutenant and the former lieutenant served as his subordinate — again without bad blood.

THE third tale was perhaps slightly more amazing. It concerned what we should call a politician who was also editor and proprietor of a leading Swedish newspaper. He was very critical of the Government in his editorials, and very voluble about how he would run things if he but had a chance. The electorate subsequently took him at his word and gave him the opportunity he craved; he became Prime Minister. He retained control of his paper and it was edited by his subordinates. After he had been in office about a month, the leading paper of the opposition published conspicuously a very pointed editorial which questioned the talents and abilities of the Prime Minister, and finally asked the Prime Minister's paper to say briefly what he had done since he had been in office to earn continued support. The Prime Minister's paper replied promptly, and the gist of its reply was: So far as we can see he has done no single thing to merit his continuance in office, and he might better resign before he makes such a complete failure as to injure the future prospects of the party. The Minister resigned. He again took up direct control of his paper. He remarked that it was far easier to pick flaws in Government from the outside than to act wisely and well when you had attained power. He retained his critical subordinates and actually thanked them.

IN ORDER more completely to demonstrate the very peculiar manner of thinking prevalent in this curious country (it would require a new series of *Persian Letters* fully to explain it in America), I might add one more true instance. During the late European unpleasantness, when prices rose, the Swedish railroads, being State operated, found themselves compelled to have more revenue. Their problem was therefore presented to the electorate in this form: We must have more revenue. We can secure it by raising the prices for tickets, but that will affect few people — for everyone does not use the railroad trains steadily — and it will also compel them to pay considerable lump sums. On the other hand, we can secure the revenues needed by an increase in taxation which, on a *per capita* basis, will scarcely be noticed — although then those who do not will, of course, pay part of the increased cost for those who do use the railroads. Which do you prefer? The public preferred the tax, on it went, and railroad operation continued without increased rates. But a few years later the railroads again addressed the electorate in this wise: Due to unforeseen circumstances, we now not only find that the increased taxation is no longer necessary to support the railroads, but that we have inadvertently accumulated many million dollars as a result of this tax. Shall we retain this sum as a

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sinking fund, to use for repairs and improvements, or would you prefer to have it returned to you in cash on a pro rata basis? The vote was taken and the money was retained by the railroad administration.

As I have already intimated, these are matters for me to perpend. I write from a city where corruption in the Police Department has recently been under the public gaze, and where there seems no disposition at all for subordinates to act for the public good, or to do other than agree with their superiors, unless they see an opportunity for personal aggrandizement through newspaper notoriety by acting otherwise. One of our public hospitals has been under investigation because a local judge charged that a woman (a mother) committed to the institution for examination was needlessly operated upon and died as a result thereof; but the physicians, nurses, and even some of the hospital patients were so loyal to their conception of making everything seem all right that the Welfare Board, already interested *ex officio* in whitewashing all evils, was easily induced to bring in a verdict of all is well.

Indeed there has been little in my past experience to prepare me for such narratives as my masseur told me. Subordinate police officers, like most other subordinates with whom I am familiar, would be most unlikely to think that the road to promotion lay through the honest and sincere exercise of their functions, even at the expense of arresting or causing legal difficulty for a superior. In my experience the loyalty of subordinates is never to the public; seldom even to the concern or to the administrative unit. It is, in this land of individual responsibility and personal autocracy, to some more or less petty personage *per se*. I could not imagine a policeman even thinking of arresting his inebriate captain found in citizen's clothes on his beat; I can much more easily imagine him shielding his captain from detection and the wrath of his own superior — say the major. That might bring him a promotion. Arresting the captain would almost certainly injure him in some more or less subtle or indirect manner. The same holds for a subordinate customs officer who, like a normal Prohibition enforcement official, would be far more likely either to demand a share of the loot or else maintain a dignified silence, than jeopardize his tenure of office by impertinently investigating the extra-official activities of his lieutenant.

When it comes to politicians, I am aghast. There still sticks in my memory the Methodist gentleman who, though a member of the United States Senate, narrowly escaped the penitentiary for telling the truth, a plot engineered and connived at by the Department of Justice itself — if unchallenged public reports may be believed. I have also somewhere heard of a Member of Congress who, without the slightest consciousness of having done anything unethical, took a manufacturer's representative into meetings of the committee on tariff revision, having disguised the gentleman as his private secretary. The Senatorial censure of this individual seems to me, however, rather deplorable, because beside living strictly up to the ethics of that

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body he was intelligent, cultured, and highly educated. That an editor-politician could possibly conduct himself in this country as did the one in Sweden, therefore, exceeds my capacity for ready credulity.

And why should he? I see no reason why he should. There is nothing fundamental in our *mores*, our training, or our congenital attitude of mind, which leads us to be loyal first to the concept of a happy and healthy social body, and secondly to our own personal, avaricious, acquisitive selves. Sweden possesses what is essentially a functional government, which pursues an economic rather than a political technique, and its people have developed wonderful social consciousness. We retain a purely political government, a soviet of lawyers, which pursues first of all the political technique, and tends to scorn scientific economics, and which does remarkably well when you consider that it has been obsolescent, or actually obsolete, for at least fifty years — if not longer.

MY ACQUAINTANCE with the police department is fortunately very slight. I aim to keep it so, and nothing would induce me to appeal to it other than the most dire necessity. I have, however, heard traffic officers so roundly and so unnecessarily abuse women automobile drivers as to render them too nervous to drive, thus deliberately working to produce accidents. Yet I have discovered that protest to their superiors will simply result in the action of the inferior being sustained, because police loyalty is to the police department, not to justice nor to public safety. Such loyalty conveniently works both ways and protects the simple patrolman in his more offensive moments quite as well as it does the captain when he deviates into iniquity. I somehow think that misplaced loyalty and undue respect for individual authority work more havoc than they produce good results.

WHEN I worked in industry my loyalty was initially to the scientific director. What he said was right for me because, as a research assistant, I came under him. My prospects of being paid or promoted were exclusively in his hands. My duty was also to protect him in sundry subtle ways from the money-minded personage who acted as president of our company. Later, however, my loyalty was to the production manager, as I entered the factory, and then I had often to take his part against the scientific director on questions upon which I should formerly have agreed solidly with the latter. If, by his direction, a production error occurred, it was my duty to get the remains down the sewer and to manipulate the cost card statistically until it was most unlikely that the president of the company would ever realize what had happened. The facts of the case were almost always of slight moment in our discussions, which usually concerned ways and means of "passing the buck."

However, the president of our company was personally responsible for the entire organization and, as against the Board of Directors or a competitor, we should have stood with him to a man. The consumer, the public, just and fair prices, excellent quality goods — to these things we were not loyal and they

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did not enter into the picture at all. Not only is such procedure true of business in America, but particularly as applied to a public utility.

The public naturally expects all Government enterprises to be inefficient, without ever once considering that it must be thus, so long as political means predominate in the solution of purely economic problems, and so long as it forgets that where other means step in, as in the Departments of Commerce and Agriculture, very valuable bureaus which pay enormous dividends are established. In short, the public distrusts Government without knowing why, expects the worst and then abuses it for inefficiency.

FOR instance, how many laymen with business minds can even understand such a thing as this: There was a rich and powerful coal company in America which mined a valuable vein, but at a certain point, due to a geologic fault or slide, the vein was lost and the remainder of it could not be found by the company. There was in the Government service a geologist who studied this vein. He was a public servant. He was a true scientist. He was seeking to match the vein up so that vast stores of coal might be opened to the public — at $11 a ton, though the mine cost might be less than $1. Alone, in his private laboratory, he examined fossils, rocks and soil samples, worked out the problem, unerringly matched up the vein, and discovered precisely where the remainder of the rich field was located. His salary was then $3,000 a year. He had nothing to do but resign, wait a year or two, and sell his valuable information to some business organization in such a way as to make him inordinately wealthy. He did nothing of the kind. He reported his finding honestly; the coal company secured the land where the vein was and became enormously wealthy, whereas the geologist now, many years later, gets a salary of $4,500. How many average people can understand this geologist's sort of loyalty? It was misguided, of course, because in all such cases the people never benefit until gamblers and entrepreneurs have extracted fortunes from the knowledge so obtained. But his loyalty was sincerely to an ideal of public service which the very business men who profited from his discovery could not possibly understand, and they naturally thought him a little cracked.

OR, AGAIN, I have found, as doubtless you have, that both in public and in private enterprise "the boss" is a sacrosanct figure. He has responsibility and he usually has power. He issues orders and instructions and they are to be carried out because loyalty centres in him. Perhaps he issues an order which he himself instantly disregards and breaks. Perhaps he insists that subordinates be on hand from 8:30 to 5:30 because "no man can work short hours and accomplish anything," yet he himself arrives at 9:30, lunches from 12 till 2, and quits at 4. Nothing is thought of that by his subordinates. Such actions are interpreted as his inherent right and he is openly expected to do as he does. The president of the industrial concern I left some years ago to undertake State work at a lower salary chided me for being attracted also by the prospect

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of more leisure — I was going to have a seven in lieu of a nine hour day — quite indifferent to the fact that he himself was never in his office for more than four and a half hours daily! This sacrosanct character of the boss is the same whether he be a police captain, bureau chief, general manager, president of the company, or chief editor.

Yet as a matter of fact we actually form a community of people striving somewhat ineffectively as things are to extract maximum happiness from life by performing the duties and tasks which it seems incumbent upon us to perform in order to obtain economic goods. The more healthy the community is, viewed as a hypothetical social organism, the more likely we are as members thereof to be contented and well provided for. By social and economic law, then, our loyalty is to the stability, the health, and the general prosperity of the community.

What do we need in order to attain the condition apparently existing in Sweden? We need first of all to cultivate loyalty to social justice rather than to individuals, cliques, and organizations. We need the ability to regard social order and community health as so important that individuals will naturally act as did the policeman, the customs officer, and the editor cited at the start, and public utilities will quite naturally do as the Swedish railways did, knowing that the people will understand and render a wise and a just decision. That should take approximately five hundred years at our present rate of progress, but I see no reason why we should not set it up as a goal. It involves, of course, the complete sacrifice of a great many things we habitually regard as very important and very wise — such as the right of police captains at annual salaries of $3,000 to accumulate large fortunes within a very few years and retire on half pay quite respected citizens. It involves the sacrifice of those fetiches — individual responsibility and fanatical personal liberty. I agree that these things have their moments. I ask simply, are they worth the price of civic disorder and national economic and social chaos? Personally I do not believe that they are.

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Revolt in the Tropics

By Carl F. Westerberg

Poverty Is the Common Denominator of Those Lands

In India the revolt against British rule smolders persistently. In Latin America revolution follows revolution. However much humanitarians may have beclouded the Indian issue by the injection of political and religious shibboleths, the facts are that this revolt and the Latin American revolutions have a common origin in economic discontent. In the case of India, it is easy to blame England as an iniquitous political monster, sucking the life blood of its miserable millions; it is easy to ignore the record of history which shows that until the English came, there had been for centuries neither safety of life nor of property. But, since the Latin American nations are free and self-governing, these theories, which seem plausible when applied to India, can not be used at all. All kinds of cumbersome theories have been devised to explain the constant political turmoil reigning in these countries. Whether the writer lay the blame on racial, social, religious or medical conditions was simply a matter of choice to be governed by some personal bias. The dominant note in all these writings has been the assumption that, if a free people can succeed in maintaining political stability, economic prosperity must be the inevitable consequence.

The great common characteristic of all tropical countries is poverty, of the type which exists among our Southern mountaineers. It exists in the tropics for the same reasons that it exists in this country, because the marginal lands can not produce wealth at the rate which is required to maintain our modern phase of civilization. As a whole, tropical soils are so poor that the price of their cultivation is poverty.

This soil deficiency of the tropics is so paradoxical, so opposed to the general belief, that it deserves explanation. The layman visiting the tropics is impressed by the rank vegetation which surrounds him, and makes the almost universal mistake of concluding that only a rich soil could support such a growth. But, in the kingdom of plant life, moisture and a certain degree of warmth have always been more important than soils. The aerial species of orchids live without any soil at all excepting for such particles of dust as may fall on their roots. The rank jungle growth of the tropics is, for the most

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part, a growth of weeds thriving on a lean soil.

The great commercial crops of the world, such as the cereals, require a soil which contains both humus and certain mineral salts. In the tropics, conditions for the formation of humus may, at times, be so extremely favorable that topsoils may accumulate to a depth of fifty feet or more. Such conditions are, however, relatively rare because the erosion produced by torrential rains in the rainy season and hot, dry winds in the dry season destroy the topsoil about as fast as it is formed. In the temperate zones, conditions for mineral enrichment of the soil are ideal. The shattering effect of frost breaks the rock up into small fragments, and the heaving action of alternate thaws and frosts disseminates these fragments through the soil. In the tropics these favorable factors are totally absent. The result is that tropical soils, even when they contain sufficient humus, are usually deficient in minerals.

As long as agriculture was entirely a matter of hand work, the inhabitant of the temperate zones possessed no great advantage over his tropical competitor. The greater richness of the temperate soils was counterbalanced by the fact that in cold countries the farmer had to devote a great part of his efforts to the securing of clothing and shelter, both of which were of little importance in the tropics.

But the development of agricultural machinery placed an immense premium on rich lands, sufficiently level for machine cultivation. Such lands are almost entirely within the temperate zones. In consequence, the farmer in these zones was able, for the first time in the history of the world, to produce an immense surplus of foodstuffs. The railroads became an economic possibility because the wheat growers produced enough tonnage to support them. Labor was released from agriculture into industry, and the increasing prosperity of the farmer furnished a ready market for the products of all forms of industry. However unimportant wheat may be today in the life of the average American or European, it was wheat which laid the foundation for the monstrous industrial empires today, and even now railway mileage, which is an industrial necessity, is more closely allied to the production of cereals than to industry.

The growing of wheat in tropical countries, with the single exception of India, was gradually abandoned because the soil and topographic conditions made it impossible to grow this grain in competition with the temperate zones. Because wheat could not be produced, extensive railroad construction was impracticable, and because railroad facilities were not created, manufacturing industries could not locate themselves in that area. It is very significant to note that India, which is still a producer of wheat, is the only tropical country with any great railway mileage.

The increasing prosperity of the temperate zones created a market for certain agricultural products which were not subject to competition outside of the tropics. Of these crops, with the exception of sugar, all were of the orchard type, and the most im-

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portant was coffee. From a broad economic point of view, these crops are all very undesirable because their production is based entirely on the existence of very cheap labor. Without exception, whether the crop be coffee, cacao, sisal, or rubber, the yield in pounds per acre is small and the amount of labor required is enormous. In the case of coffee, the gross value of the yield per acre is about equal to that of an acre of wheat; but a family can grow ten times as many acres of wheat as they can coffee.

TROPICAL poverty is a survival of Eighteenth Century conditions in the Twentieth Century. As was the case a hundred years ago, this poverty is not characterized by actual hunger excepting where overpopulation exists. India is overpopulated as is Porto Rico, and in both places a certain portion of the people are chronically hungry. In general, Latin America is underpopulated and the condition of hunger is absent. But the processes of trade and commerce are educational, and year by year the difference in living conditions in the tropics and in the temperate zones is being emphasized. The result is perpetual discontent. In Latin America, this process has been going on for many years. No criticism of tropical affairs, whether in America or in India, can be wholly fair if the critic ignores the very existence of this form of poverty or if he fails to offer an economic solution for the problems it creates.

The economic structure of tropical nations approximates that which existed all over the world prior to the Nineteenth Century. There was an hereditary ruling class, either financial or political, small in number but powerful, and an immense percentage of illiterate laborers. The middle class was small and unimportant because the economic conditions did not require the existence of such a class. There was none of that diffusion of wealth throughout the entire social body which seems to be requisite for the maintenance of a republican form of government. This is the condition which prevails today in the tropical countries and it is the source of their political troubles. The middle class represents a transitional stage between wealth and poverty, and where it is absent, it shows that the transition is virtually impossible through ordinary industrial or commercial activity.

UNDER these conditions, politics offers the most ready method of advancement in economic status. The most intelligent and ambitious men seek politics as a career and they form that vast body of office-holders, both military and civil, who, rather than a middle class, separate the owners of wealth from the peons. Since the wealth of the country is mostly in the form of agricultural investments, almost entirely nonmobile and peculiarly susceptible to seizure or destruction, the wealthy families are forced to enter politics for their own protection.

It seems impossible to divorce a republican form of government from the not necessarily related system of government by political parties. The peculiar instability of many Latin American republics arises from this association. Where employment by the Government is the most impor-

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tant method of individual economic advancement, it is evident that when political parties exist, an important fraction of the more intelligent and enterprising portion of the public is at all times deprived of a means of living merely because of political affiliations. In attempting to overthrow an existing Government, these individuals are moved by economic need, which is naturally a more compelling urge than mere devotion to the ideals of a party. Since the peon is always living in a state of more or less hopeless poverty, it requires but little effort to secure his adhesion to the revolutionary cause. Under normal conditions, no political issues exist which give one party any great numerical superiority over the other, and the result is a Government in a state of perpetual equilibrium, with the wealthy class holding the balance of power.

WHEREVER chronic poverty exists as a check on individual initiative and effort, the election of Presidents by a fair popular vote almost always results in the defeat of the administration. Since the new administration, however good it may be, is unable to ameliorate the condition of chronic poverty which is entirely beyond its control, it becomes manifest even at the beginning that, if it be permitted to survive until the end of the elective term, it will be overthrown. So, it is only human nature to accelerate that overthrow by means of a revolutionary movement, which is in truth merely the anticipation of an election. This natural resentment against the continuation in office of an administration which has lost public confidence manifests itself even in the United States by the constantly increasing demand that the interval between election and assumption of office be reduced.

Sooner or later, the everlasting alternation of administrations becomes intolerable. This is particularly true where wealth and vested interests are concerned. Out of this situation arise dictatorships. The Dictator is, in effect, an absolute monarch who has assumed control of the Government by the consent of the people. The foreign public visualizes a country under a dictatorship as a country terrorized into submission by an army. This is not true, for where the army is a political instrument, as it is in most tropical countries, it accurately reflects the sentiment of the majority of the inhabitants. In most cases, the Dictator maintains himself in power by means of changes in the Constitution which, while theoretically insuring the election of Presidents by popular vote, in effect perpetuate the rule of the Dictator. Therefore, the Dictator does not have to guard against an electoral upturn and he is free to concentrate his efforts against the contingency of violence or revolution.

ON THEORETICAL grounds, this situation may be highly repugnant to all believers in democracy. In actual practice, the only important objection is the fact that the Dictator has assumed sovereign powers without, at the same time, providing any legal means for succession to the throne. Since the Dictator is able to override or ignore laws, he can make decisions as rapidly as if he were the executive officer of a private corporation. Since he is not limited to a

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specified term of office, he can work toward objectives whose attainment is far in the future.

While the Dictator may be motivated by the most sincere form of patriotism and may be more interested in the wielding of power than in personal financial gain, he can maintain his power only as long as he permits other people to make money. The one and only foundation which can maintain him is national prosperity. It is for this reason that most dictatorships are good governments in the sense that they promote the development of resources and means of transport and communication even though, at the same time, they outrage the rights of minorities.

As long as a Dictator can continue to spend money, his position is almost impregnable. Not only is his rule profitable to his own supporters, but even his opponents make money, through the artificial prosperity induced by governmental expenditures. If commodity prices rise, the revenues of the Government improve and therefore increase its borrowing capacity. But, sooner or later, commodity prices will fall and the burden of service on loans will become onerous. The Dictator is compelled to retrench, and he at once loses the support of the political machine which kept him in power. The burden of taxation has increased, and in consequence the support of the wealthy class has been alienated. The permanent opposition and the wealthy classes combine with the dissenting elements of his own party, and the result is an almost bloodless revolution. Politically the event has exactly the same significance as the overthrow of a European cabinet resulting from an adverse vote in parliament. The resulting Government may be another dictatorship or the revolutionary party may, for the sake of the sentimental effect abroad, resort to an election. The risk of submitting the issue to popular ballot is very slight, because invariably the revolution has succeeded because it truly represented the will of the people.

But, whether the new executive obtain his office by seizure or by election, he inherits the problems of his predecessor. The mere change in administration, despite the hopes of the people, can not reduce the service on the national debt nor can it raise the prices of the exportable products of the country. The fundamental poverty of the nation still exists and the degree of this poverty can be modified only by factors beyond the control of the Government. If these factors remain unfavorable, the new executive will probably fall in a short time in exactly the same way as his predecessor.

While the general pattern may be slightly modified in different countries, as a whole revolutionary movements in the tropical nations are all alike. Their coming can almost always be predicted, and when they do come, they are of little real importance. Their nature is purely political and they never have the disastrous consequences of such social revolutions as the Mexican and the Russian.

With the single exception of the revolt in Argentina, all the recent revolutions in the Latin American countries have been true to type. The deposed Presidents or Dictators,

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for it is very hard to tell which some of them were, all fell because of the development of world wide economic conditions which were completely beyond their control. In every case, these men were competent executives who were trying to develop the resources of their nations. Argentina is not a tropical nation and tropical poverty is not prevalent. This revolution was somewhat of a freak performance. The elected President was either mentally or physically disabled, or else deliberately refused to perform the functions of his office, so that the Government virtually ceased to operate. A similar situation might conceivably arise in the United States if a President became mentally incapacitated at the beginning of his term of office. Such a situation would present a number of very intricate legal problems. In Argentina it was settled by means of a revolution. It is most improbable that this revolution will be followed by others, as the conditions which predispose a nation toward revolutions are almost entirely absent in that country.

IN THEORY, at least, people can be educated to differentiate between those ills for which political parties can be blamed and those which are beyond the control of any government. In that case, they would cast their ballots in favor of general principles instead of as a blind protest against their own poverty. But, even in the United States, where mass education is the rule, political results, more often than not, are caused by factors which are beyond the control of the party which happens to be in power. Under the economic conditions which prevail in the tropics, educational facilities in any way comparable with those which exist in the United States or in Western Europe are a financial impossibility. To expect that still higher degree of education which would enable their people to differentiate among the obscure causes of their ills, is a complete absurdity. The cost of education is such that no tropical country can support it.

THE cost of the public school system of the United States amounts to about seventeen dollars per capita. This is more than the per capita incomes of most tropical countries. The service on the Peruvian national debt requires taxation amounting to about three dollars per capita. From the American point of view, such a sum is negligible, yet in Peru it was such a terrific burden that it was an important contributing factor to a revolution. No matter how low the wages of Peruvian teachers may be, Peru is financially unable to pay the cost of mass education.

Venezuela is an example of a country which is really trying to educate its people. It has a population which includes about 600,000 within the usual limits of school age. Because of the scattered nature of the population, it is probable that one teacher would be required for every twenty pupils. On this basis, if the teachers were paid as much as a clerk receives in that country, the teacher payroll would amount to more than $35,000,000 a year. This sum is more than the entire cost of running the National Government, in spite of the fact that this is the most prosperous of all tropical nations. Under these conditions, the obstacles against even that

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slight degree of education represented by the mere ability to read and write are stupenduous.

Tropical poverty is the fundamental cause of both illiteracy and political instability. While the analytic observer will readily admit the existence of this poverty, he is prone to believe that, had political or racial conditions been different, this poverty might not have existed. But as far as the tropical Americas are concerned, there is a long record of attempts at colonization by Europeans and even by Americans, all of which have ended either by the complete evacuation of the colonists or by their reversal to Indian standards of living. When the world succeeds in eliminating the physical causes of tropical poverty, it will at the same time eliminate the phenomenon of political unrest. The tropical American nations will probably continue in the future as they have in the past, with a few years of peace at a time separated by revolutions, which will always appear more important abroad than in the country where they occur.

If India succeeds in gaining her independence, she will begin her national existence under conditions far more adverse that those which confronted the tropical American nations at the time of their liberation. The latter countries were so sparsely populated than there was land in abundance and there was no food problem. As opposed to this situation, India is today overpopulated. The American nations possessed a relatively homogeneous population, consisting in general of two races which were not separated from each other by religious barriers or inhibitions. India, on the other hand, is an incredibly complicated collection of diverse races and religions which are separated, one from the other, by the accumulated hatred of centuries. If the tropical nations of the Americas existing under conditions infinitely better than those of India have been unable to maintain a state of political stability, is there any reason to expect that India will be able to do so?

The Indian Nationalists have based their campaign on the premise that India is economically wronged as a result of British dominion. The implication is that, if India were self-governed, she would be able to maintain a standard of living better than that which now prevails. All the historical evidence seems to refute this claim and to indicate that if England abandons India the result will be complete chaos.

Against the theories of the philosophers, ministers, missionaries and humanitarians who have espoused the cause of India with little knowledge of tropical conditions, there stands the irrefutable fact that under modern conditions no tropical nation has been able to secure political stability or to support a modern standard of living. These things have not been attainable, not because the various nations which have tried to secure them have been afflicted with racial faults too great to be overcome, but because the tropics can not possibly support a modern civilization.

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How Canada Deals with Its Criminals

By James Montagnes

Two youths, caps pulled far over their eyes, their shirts open at the neck, walked briskly into one of the small branch banks which are common in the residential parts of any Canadian city. This was in Hamilton, Ontario. They pulled out guns, ordered the teller to hand over his money, collected it and walked out. There was the usual car on hand, and away they sped. Some blocks distant an eighteen-year old Italian girl saw a car come speeding down the street and draw up to another standing parked at the curb. There was a screech of brakes, a sight of two men jumping from one car to the other, holding in their hands bundles of what looked like bills, and the car was off. But not before the girl, scenting the unusual, had taken down the number and hurried with it to the nearest police station.

Four hours later, one of the would-be bandits was captured in his own home. Twenty hours after entering the bank both youths, one of nineteen and the other twenty-one, had been sentenced to six years for robbery with arms, two years in addition for stealing a motor car, and thirty lashes to be administered to each during the first eighteen months of their confinement in penitentiary.

The case is not out of the ordinary. It was chosen because of its recent date. It demonstrates that in Canada justice moves swiftly, and with hard sentences. To that fact is laid in part the reason why crime in the Dominion has not reached the height that it has in the United States. While Canada follows to a large extent the tendencies exhibited in the growth of civilization in the United States, as witness the Dominion's automobile traffic, talking picture theatres, radios, miniature golf courses, and current fads, there is at least one phase of this development that is not followed with equal rapidity. Crime in Canada has always existed, is perhaps more noticeable today than at the beginning of the century, but it is by no means on a par with that in the United States.

The reasons for this are several. Some go back many years. Some are lodged with the constitutional laws underlying the government of the country.

To Prohibition has been laid a large part of the blame of the present

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crime situation in the United States. Be that as it may, this cause has been wiped out in Canada. Of the nine Provinces there remains but one wherein Prohibition holds, and that is Prince Edward Island, the smallest of them. In the others Prohibition, practised for some years, has been done away with. In Ontario the ten years under Prohibition showed a greater record of crime than before that time. Bootleggers, large and small, thrived in this most populous of the Provinces, next door to a Province that was wet — Quebec. Today, with three years of government liquor control in force, bootlegging is practically stamped out. According to Sir Henry Drayton, chairman of the Ontario Liquor Control Board, bootleggers have been eliminated in Ontario. There is no business for the larger operators, except through short-circuiting export liquor to the Province, and this is difficult, and the small ones are so few in number as not to count, especially from a crime instigation viewpoint.

But Prohibition is merely one item to which the growth of crime is attributed. Take the question which puzzles most Canadians. How is it possible for graft and corruption, according to newspaper reports and magazine articles, to be so rampant in the police forces and among the judges of the various United States courts? That question is a difficult one to grasp for the Canadian who is not acquainted with the methods of appointment of officials in these departments.

Unlike the United States, where sheriffs, judges, State attorneys and others connected with the enforcement of law, are often elected, in Canada these positions are given to men of capability by appointment. Politics plays but a small part in their selection. Certainly these men, entrusted with carrying out the law, are not elected in Canada by popular vote.

That fact is perhaps the greatest factor in keeping crime down in Canada. With politics out of the question, gangs have been unable to gain a hold on the life of the city or the country as a whole. There are no officers to be bought over for fear of losing their jobs through political pull; there are no judicial positions whose holders have to be paid protection money or whose career depends on their acquiescence to the gang because they can not antagonize electors. These conditions do not exist. *Ergo*, the enforcement of the law in Canada can be said to be practically as graft-free as it is possible to have it.

Every judicial officer from the Chief Justice of the Supreme Court of Canada down is an appointed official. A county judge is given his appointment for the same length of time, and on the same condition, as a judge of the Supreme Court. Judgeships are given only to men of competence, and while these appointments are made by the political party in power at the time at Ottawa, or at the various Provincial seats of government in the case of magistrates, the appointment is for life, being given by the Governor-General or Lieutenant-Governor in Council, which applies to any Governor-General and any Lieutenant-Gover-

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nor. Only if the holder of the position gives cause for calling for his resignation is he recalled. Otherwise a judge is on the bench for life. And this factor makes it impossible for any one political party to gain the ruling hand or allow graft.

If the Liberal Party appoints a number of judges while it is in power, and vacancies occur during the ensuing Conservative Government, then this party may fill the vacancies from men among its ranks, though not necessarily. As the Canadian Prime Minister, the Hon. R. B. Bennett, stated in Toronto at the last convention of the Canadian Bar Association, his Government would in future appoint Canadian judges on the basis of fitness only, without regard to political or other consideration.

THERE are few cases of judges being recalled in the Dominion. And thus with death being the only other factor leading to vacancies it can readily be seen that politically justices, judges, magistrates and similar judicial officers are not open to corruption.

While the fact that Canadian jurists are appointed rather than elected, and the same procedure holds for all law enforcement officers, is probably the main reason why crime has not reared its head in the Dominion as in the United States, it must also be understood that the Canadian is not as sentimental with a criminal as is the American. British people, as a whole, have always maintained that a criminal has come to his end by his own folly and therefore sympathy rests not with him. Society must be protected, and the person who has broken the law is a menace to it.

A Canadian judge will not hesitate to condemn a prisoner to be hanged, if he is found guilty of a major crime. The logic behind this is that the prisoner has placed the noose around his own neck.

Hanging, by the way, is the method by which the death penalty is administered in the Dominion. It is not popular with criminals. Perhaps that is why there is but one hangman in all of Canada. He travels from one Province to another. And he has but few trips to make in a year.

Which brings up another item as to why Canadian criminals are not so apt to get in the toils of the law and United States crooks stay away from the Dominion. That is the severity of the punishment and the speed with which it is administered. Canadian courts, whether the trial is with or without jury, give hard sentences to young and old alike. Long prison terms are not uncommon, even for first offenders, when the crime is one of theft or merely carrying weapons. Long terms coupled with lashes serve to punish the law breaker and to put fear into the would-be criminal. In fact, the possibility of lashes is said to be the main reason why American gangsters steer away from the Canadian cities.

SPEED is the other barrier put up against American criminals who would come to the Dominion to practise their trade. Where in the United States a prisoner can obtain release immediately on arrest for even major crime accusations, in Canada bail is not allowed in many such crimes, and seldom for murder, attempted murder, or any crime

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punishable by death. The prisoner must be brought before a court within eight days of his arrest; usually it is the same day or the following day. And with equal celerity the trial moves after the first indictment by the county or city court, when the trial for a major offense is taken before the higher courts for trial either by jury or non-jury.

ACCUSTOMED to such laws, it surprises Canadians to read in American papers and in press dispatches in Canadian papers that gangsters, criminals and even murderers are able through legal technicalities to be let out on bail time after time and so prolong their trials till the crimes have been practically forgotten, except for the continued postponements on the court docket. This situation can not exist in the Dominion, a fact due not only to the legal structure of the Canadian criminal code but also to the efficiency and conscientiousness of its administrators. Quick action is the keynote.

Not long ago a prisoner was brought up in a Toronto court. He had been kept in jail longer than usual. A man can not be kept in jail without a trial for any length of time at the pleasure of the police or the court. Commenting on this fact, the judge severely censured the police, stating that it was against both Canadian law and British practice. Such measures on the part of justice go a long way to keeping crime down to a minimum.

It must not be surmised from the above that Canada is a land which has a minimum of crime, a country where the criminal is scarcely known. The Dominion has its share of crime, major and minor, just as any country in the world. In fact, crime today in Canada is perhaps somewhat on the increase, just as it is in other parts of the world, although the ratio of increase is by no means proportionate with that in the United States. There are in Canada the same gaming houses, vice districts, gunmen and bootleggers that one finds in the country south of the international boundary. But while there is an underworld, there is not the organized underworld, divided into its big and small gangs, which is so much a part of the American scene during the past few years, and has given cause for so much to be written on the subject of crime. Crime in Canada, while noticeably on the increase through world conditions, is still so negligible that there is practically no criminal bibliography and there is very little written about crime in general. Organized crime in Canada can not live under the present legal structure.

MURDERS in the Dominion are not very numerous. Petty hold-ups are the main offenses which can be listed as being on the increase. Some of the recent murders have been attributed to gang inroads. Three of these occurred in eastern Canada last summer, and while at this writing they have not been solved, and may never be, the solution is not one that can be laid at the police door for neglect of duty. There are murders in many countries which are never solved. Such murders in Canada are few and far between.

Crime is often laid at the door of the foreign-born population of the

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country. Statistics in the Dominion, however, go to show that native-born Canadians are more frequent offenders than are those born in southern and eastern European countries. This is especially of interest, since Canada has as diversified a population as the United States, though not as old nor by any means as numerous. And from accounts which predominate in the American press it seems that conditions are just about the opposite there. In Canada, which also has its many foreign societies, the Black Hand or the Mafia are practically unknown, mere names to scare little children with.

Crime has of late been coming to the fore in a racial capacity, after some years of decrease. Lynchings are once again often read about in the newspapers. They are especially of interest to Canadians following a recent racial outbreak in southern Ontario, in which the tables were turned very neatly to show that Canadian law would not stand for such demonstrations.

A WHITE girl was said to be living with an alleged Negro. It was understood they were to be married. A few days before the marriage was to take place a mob of seventy-five white-clad, hooded men invaded the house where the couple were living in a suburb of Toronto, carried off the girl, restored her to her mother, and then to the Salvation Army, after which they motored calmly back to Hamilton from where they had come.

The case aroused wide attention. The police were immediately put on the trail, found the leaders concerned, and brought them to court. They were charged with having their faces illegally masked at night, abducting a girl and interfering with personal liberty. Their leader, a chiropractor, stated that they were members of the Canadian Ku Klux Klan, and were merely performing their duty, taking the girl from the alleged Negro.

But in giving his decision, Sir William Mulock, Chief Justice of the Supreme Court of Ontario — to which court the case was finally taken on appeal — had this to say in part on the case, which sums up the Canadian attitude towards crime in general and this type of crime in particular:

"THE accused and his companions took it into their own hands to interfere with her rights. In doing so they not only committed an illegal offense but also a crime against the majesty of the law. Every person in Canada is entitled to the protection of the law and is subject to the law. It is the supreme dominant authority controlling the conduct of everyone, and no person, however exalted or high in his power, is entitled to do with impunity what that lawless mob did. The attack of the accused and his companions upon the rights of this girl was an attempt to overthrow the law of the land, and in its place to set up mob law, lynch law, to substitute lawlessness for law enforcement which obtains in civilized countries. The greatest calamity that can befall a country is the overthrow of the law. Without it there is no security for life or property. Mob law such as is disclosed in this case is a step in that direction, and, like a venomous serpent, whenever its horrid head appears, must be killed, not scotched."

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The Unemployment Challenge

By H. W. Moorhouse

He Favors the Five Day Week

At this moment our organization of economic affairs is the target of critical attack. We are undergoing a business depression such as comes upon us every few years. More millions of men than usual are out of work. Goods have been produced in profusion. Factories that are silent could turn out additional supplies endlessly. Food, clothing and warmth are plentiful on every hand; yet men are hungry and cold. Can we find the solution?

What do we hope to gain in the way of economic improvement? Are we expecting perfect coördination of all parts of the industrial mechanism? Are we looking for rapid adjustments in economic relationships? If the present organization of industry does not wipe out poverty and assure equitable distribution of wealth immediately, will we want to adopt revolutionary measures, overturn our present order and go, for instance, to Communism?

Unemployment is a colossal defect of our economic system. With storehouses bursting, large groups of men are unable to earn wages with which to buy the goods. Our economic structure is collapsing around us because men who want to work can not work. There are many kinds of unemployment: voluntary; disability; seasonal; new machinery or technique; business depression. We will not say anything about the first three varieties. Not because they lack importance, for they are important, but because they are comparatively fixed and certain and we can cope with them if we can find the answer to the other two. Compulsory idleness due to growing use of the machine and business depressions must be got under control if we are to avoid a radical upset in the economic order.

The argument against the machine has become popular of late, but is not very convincing. Fifty years ago and one hundred years ago, unemployment during business depressions was proportionately as great as now. In 1873, Coman the historian tells us that three million men were out of work, and the picture of those men walking the streets in need of food and shelter is more pitifully drawn than the ones we see today. Yet, the use of machinery has made enormous strides since 1873.

Moreover, machinery gives employment as well as causing unemployment. The machine makes work.

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Men must be employed to make machines to make machines; and in transporting, selling, advertising and financing them. The horizon of economic life has been extended. A century ago, we are told, there were ninety-two individual wants and sixteen necessities; now, four hundred and eighty-four wants, ninety-four necessities. Now there are thirty-two thousand articles urged upon us through salesmanship compared with two hundred articles a century ago. These new functions and new fields have absorbed a multitude of workers.

In addition, the working week and the working day have been shortened. In the early days of machine labor the hours in the factory were limited only by the physical strength of the workers. Gradually hours have been reduced by employers voluntarily, through legislation, or as a result of collective bargaining. Twenty years ago only eight per cent of wage earners in manufacturing worked forty-eight hours or less a week. Now this is the maximum week for over fifty per cent. Almost three-fourths of industrial workers in 1910 were employed longer than fifty-four hours a week; now, less than one-fifth.

However, machinery has made overproduction, in its economic meaning, too easy. In five years we can build all the factories we can use in ten years. In almost every field of industry there is overcapacity which will not be needed until the next boom. We started the year 1922 with a huge building deficit which had been created during the war. Beginning in 1913 construction had been below normal; most of the time until the end of the war, excessively far below. In 1919 expansion started. This was halted by the crisis of 1921, after which an unprecedented era of building held sway for seven years. In this period, the deficit was filled, current needs supplied, and the future cared for to a greater degree than we like.

The machine has solved that old problem, formulated by Malthus, by adding so generously to the food supply and comforts of life that the barriers to increase of population were dissolved. The machine put vast areas under intensive cultivation; it built comfortable, sanitary houses; it developed the science of combatting disease. In the last one hundred years more people have been added to the earth than during all the preceding centuries.

But this huge population is itself a barrier to a smooth running economic order. Mass production through the use of machinery has been pretty well mastered; but it depends upon mass consumption. The consumer is not as easy to control as a machine. The consumer is a fickle human being who wants what he wants when he wants it. He sees a new toy and like a little urchin clamors for it and gets it. In the twinkling of an eye a miniature golf course is set down on every vacant lot. It was easy to gear up the machinery of production and turn these courses out at incredible speed. But how about the intricate machinery of consumer-demand which was being exerted normally along certain channels and then, suddenly diverted, left the picture houses comparatively empty? When we consider the number of people, the

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variety of present wants and the thousands of articles urged upon consumers, we begin to understand the problem of balancing production.

MACHINERY is setting too fast a pace. Output is too prodigal. Wealth is being turned out more rapidly than it can be assimilated. Production of goods in various lines can not be kept in balance. Almost before it is realized there is excess production for which no immediate demand can be found. Plants curtail; unemployment starts; a whole train of influences is set in motion which may lead to a major depression and severe unemployment.

From the beginning there has been opposition to the introduction of machinery. It has been useless to oppose it and will ever continue to be. Machinery piles up wealth quickly, adds to the comfort and variety of life and releases men from hard labor. Thus, imperative desires are satisfied. Furthermore, the *entrepreneur* is driven by the profit motive to perfect the technique of production.

There is another imperative desire — the desire for leisure — which can be used consciously to curtail overproduction and underemployment. Heretofore we have viewed leisure as an end, not a means. It can be made a most effective agency to combat enforced idleness.

If because of the efficiency of machinery there is not employment for all workers six days each week, we should adopt a shorter week. It is better for more men to be employed less days than fewer men more days.

Unemployment not only subtracts from the purchasing power of the unemployed; it tightens the purse strings of the employed, who in fear and uncertainty spend grudgingly. It is important that purchasing power be widely distributed. Forty-two million workers on the payroll five days would exert more purchasing power than thirty-five million at work six days. If a shorter week could be made universal this moment, the depression would end more quickly and normal activity be gained months sooner. Buying power would be created, reallocated and released. Moreover, added leisure would give time and thought for the development of new wants; for instance in the fields of entertainment, travel and education.

For six years prior to 1929 we had been enjoying a high degree of so-called prosperity. Yet during this period many industries were in depression and there was unemployment serious enough to give us concern. Even in such a period purchasing power was not well distributed. We can not expect the next six years to be as favorable. The acute need is present for a better equilibrium between production and consumption. More leisure will spread employment and help to equalize purchasing power. A shorter working week offers one of the most effective means for bringing economic affairs into balance.

THE normal exercise of purchasing power is the key to prosperity just as the abnormal use of purchasing power was the cause of our present distress. Over-demand brought on the depression. Excessive expenditures during good times are the un-

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derlying reason for the hard times which follow.

Mass purchasing power is the chief explanation of the era of prosperity which ended in 1929. Never before had so much income been so widely distributed. Industrial payrolls were at record levels. Farmers were enjoying an income substantially above that before the war. Growing dividends and profits from a rising stock market were swelling buying power. In addition, finance companies manufactured more instalment credit than had ever been turned out before. Not only was current income flying out the window; potential savings for months and even years to come were being mortgaged. Bank deposits reached unprecedented heights: around fifty-five billion dollars compared with about thirty-five billion ten years before. Machine production, in large volume, at low unit cost, and declining prices, found an eager market.

Not only were individuals buying at an accelerated pace; corporations, in the flush of prosperity, expanded their plants in the expectation of still further enhancing their profits. This always happens during boom years. President Hoover, then Secretary of Commerce, in an address during the depression of 1921 said: "Our studies of industries as a whole show that we usually expand our equipment just at the periods of maximum demand for their products instead of doing our plant expansion during periods of slack consumption. We thus make double demands on labor and we doubly increase unemployment in periods of reduced consumption. That is indeed one of the factors in our great unemployment today."

Over-demand leads to overproduction. Goods are produced so rapidly that production can not be kept in balance. Some industries must curtail. Unemployment follows, inevitably, and the buying link in the chain of prosperity is worn thin; the crisis comes; the decline; the period of subnormal activitiy; then the same process all over again.

What is the answer? The writer confesses to a partial sense of fatalism in regard to the peaks and valleys of business activity, the recurring periods of over-demand, overproduction, underemployment, and under-demand. Yet the business cycle at least can be modified. The peaks need not be so high; the valleys can be raised. Overproduction and unemployment can be kept within more reasonable bounds. Lean years will continue to follow the fat, and the fat the lean; this industry will be in the ascendant; that one will decline; workers will turn from one employment to another, and in the shifting will be unemployed temporarily; but we can avoid general major depressions such as we are now suffering.

The rate of business activity is now accurately measured by authoritative agencies. We know when we are exceeding the safe speed limit. Can we use the facts and apply the brakes?

First, it is essential that we watch faithfully a reliable business index. That should be as much our duty as to scrutinize our balance sheet. Any business executive who fails to have such an index laid on his desk once each month is like the locomotive

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engineer who would pay no attention to signals.

Second, reserves marked "Unemployment" can be a most important item on the financial statement of every company. We know that machines will wear out or become obsolete and so set aside part of the current income to prepare for this eventuality. We have reserves for almost every purpose, but have neglected the most obvious need and certainty of all. During crises, these unemployment reserves can help maintain full employment, say, on alternate shifts of three days each; purchasing power will be better sustained, under-consumption minimized and overproduction much more quickly corrected.

UNEMPLOYMENT insurance can be directed toward this same end. Many progressive companies are working along these lines. But why not make such obvious preparations universal? There is cost to be considered. But how costly these terrific crises! To those men of wealth who are thinking of establishing foundations to promote education, health or the general public welfare, I commend the thought of an "Unemployment Foundation" whose income shall be used to put men at work only during periods when business activity is below the normal line.

Can individual companies accomplish the purpose of smoothing out the business cycle? Not unless the whole industry will work in coördination. The industry, and in some cases groups of industries, will need to accept joint responsibility.

The old competitive idea is giving away to a coöperative spirit. Think back to the days when rivalry between the railroads was so bitter that the passenger fare between New York and Chicago was cut to one dollar. But in this as in many other fields the attitude toward competition is becoming progressively enlightened. Competitors are coöperating through their trade associations. The stage is being set for a forward move in the control, by industry itself, of the activities of the industry for the good of all.

Some kind of over-all planning we must have. If the industry will not do it, sooner or later public sentiment calls on Government to take a hand. The trend is for Government to play a larger part in the regulation of business enterprise. These regulative measures will stop at the "happy mean" if, and only if, business leadership will keep business activity within reasonable control.

IN THIS discussion we have advocated measures which will lead to a better control of unemployment. These remedies are mostly preventives which can be applied most effectively when business is running at normal rate. In the mean time, what of the period just ahead? Are any extraordinary developments in store which will lift us quickly out of subnormal activity? Two industries, building and automobile, which took us out of the 1921 depression so fast and exerted such powerful stimulating influences in the last prosperity epoch, have spent most of their immediate force. Revival from the current decline does not promise to be as rapid or as sustained in the years immediately ahead unless we can adopt in an organized way some such

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progressive principle as the shorter working week.

Given a longer time, transitions will come which will offer new work which will create new prosperity. Just what ones will mature, and how soon they may exert a dominant influence, no one can say. We are hearing now about the autogyro, which is a new kind of airplane which can rise and land vertically. This may or may not be the forerunner of suburban air passenger traffic. There is a possibility that suburban residential areas might be transplanted as the result of such a development. Factory and business centres might be reallocated. Unprecedented building activity could grow out of such an invention.

There are new vistas in the field of refrigeration. Foods are soon to be prepared, transported and delivered to the home under startlingly new methods. It may not be too daring to suggest that within ten years, offices and homes may be cooled in summer as effectively as they are now heated in winter.

Electricity and chemistry, two modern Goliaths, will continue to perform their amazing miracles. The railroads will proceed toward electrification. Coal will be utilized at the mine and transported to the consumer in the form of electricity. Chemistry, of recent years, has revolutionized a number of industries, including leather, paint and silk. In the chemical field anything is possible.

But these very transitions which will usher in a new era of prosperity and solve depression unemployment, will at the same time intensify unemployment due to industrial readjustments. There is nothing simple about economic affairs. And, unless we expect economic life to be lived on a dead level, there will always be some tangles to unsnarl.

Compensation

By John Langdon Jones

No winter has there been whose raging cold
Spent not its tyrant anger ere the spring
Began to flower the waiting earth and sing
Of crocus, hyacinth, and marigold.
No tempest ever lashed, nor waters rolled,
But that the ocean soon became a thing
Asleep: as safe beneath her mother's wing
A child finds slumber when her sobs are told.

Those heaven-blue eyes that thy Creator gave
Made me half worldly praying at a shrine,
And since the utter loss of thee I lave
My lips from unsweet cups incarnadine.
Thou canst not smell the blossoms o'er the grave,
I can not hear the music that is thine.

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"Upon What Meat—?"

By George Allan England

Being a glimpse of the plant and personnel of the Hon. Anti-Saloon League of America

The interurban trolley brought me, after a pleasant journey of sundry miles through verdant Ohio fields, to the famous burg of Westerville. Lying north-by-east of Columbus, Westerville is "the biggest little city in America." It admits this fact, itself. Like certain individuals, Westerville has had fame thrust upon it — for what fame could surpass that of sheltering so eminent a world-saving organization as the Hon. Anti-Saloon League of America? Has not Westerville, Ohio, become for all right-thinking persons a potent Mecca; a goal for prayerful pilgrimages even like the one on which, that radiant day, I found myself engaged?

"Sure, buddy, I'll let you know when we get there," promised the conductor, seated at ease and throwing peanut-shells out of the window. Contemplatively he champed a few nuts, then added: "You can't hardly miss it. They got quite a place out to Westerville, them Leaguers has!"

"Quite a place" evoked to my mind's eye various office-buildings and print-shops active with the clatter of typewriters and the rumble of presses; buildings hive-busy with the come-and-go of snappy, pepful clerks, tense with the driving energy of keen executives, all keyed up to the tremendous and soul-satisfying task of spreading the Gospel According to St. Volstead and St. Jones — making this wicked old world a dustier, drier, drearier dump.

It was therefore with a vague surprise that I queried: "Where?", when the conductor yanked the bell, remarking:

"There she is, mister!" He pointed. "Don't you see her? Sure, that's her — the Anti-Sloon League!"

Ding-ding! The car lurched forward, and left me standing in the elm-spotted sunlight, confronted by no mean disappointment.

In place of the towering and expected skyscrapers, I beheld a smallish, two-storied house of brick, part whereof had just been painted a most aggressively violent yellow. This house stood back a little from the village street. It looked rather somnolent. No sound whatever of uplifting activities issued from its open door and windows. Odd!

At one side I saw a lawn that stretched away to a one-story brick

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workshop, which I rightly conceived to be the League printing-plant. A wide sidewalk, almost completely overgrown with grass, extended to this establishment. And along this walk, still vainly listening for the whirr and growl of busy propagandist presses, I took my inquiring way.

The door yawned. I entered, and beheld activities indeed — to the extent of one solitary and rather dejected printer sitting on the back of his neck and devouring pie out of a tin pail.

"Hey, there," I queried in a refined manner. "Where's the offices?"

The pie-eater sketched a vague gesture, with a piece of pallid crust, in the general direction of the brick house.

"Reckon you might find somebody down there, mister."

Again I trod the herbage of that dimly-traced sidewalk, and presently entered another open portal.

A SOMNOLENT air, like that of the Sleeping Beauty's château, enfolded my senses. Desks, chairs, filing-cabinets, all of mediocre and second-hand quality, stood on uncertain floors; but personnel was conspicuously *non est*. I pushed forward, on exploration bent, and — penetrating a rear office — flushed up a covey of two startled, antique maidens, eating soup from bowls on desks. For a moment I felt abashed in their vestal presence; much as I suppose a Goth or Vandal might have felt when, with vorpal blade in fist, he accidentally stumbled into a nunnery. But swiftly I rallied, with:

"Beg pardon! Can you tell me where to find any of the executives?"

Another wave, this time with a soup-spoon, indicated a direction more to the sou'west.

"You might try the other building, across the street," suggested one of the vestals. Meekly I thanked her, and withdrew.

SO THEN, the League had still another building? Ah yes, indeed! And presently I discovered it; another brick house of modest proportions, on t'other side of the village Main Street. I marched upon this stronghold, entered, and again saw a couple of similarly third-rate offices. The calm of an immense vacuity rested thereon. Peace, perfect peace. No signs of life were visible. But at last, in response to tentative knockings, an excessively attenuated and anæmic maiden appeared.

"Dr. Cherrington?" she answered my question. "He's in Buffalo. Dr. Russell? He's somewhere in Pennsylvania, but I don't know just where. Mr. Fickel, our editor? Well, he was here this morning, but he's gone now. Maybe he's in Columbus. I don't know. Mr. Larimore? I guess he's around town, somewhere. If you'd like to wait, maybe I could find out."

"Oh, thank you!"

The lanky lass vanished. I waited, edifying myself meanwhile by inspecting a profusion of pious prints, pronunciamentos, programmes, publications, propagandas and photographs that adorned the chaste walls. The general idea of them all was that Rum was a diabolical, depraved and demonic dragon, and that thumbs down was the correct verdict for it. Many lofty souls were shown in the rôle of Saint George;

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and all right-minded people were standing on the side-lines, hissing the dragon and rooting for George.

The photographs were particularly enlivening. They portrayed various godly gatherings of Drys, all hallowed by the laudable purpose of enlarging the Sahara, the Gobi, the Kalahari and other arid areas. The largest photo of all, and the most edifying, showed a vast concourse of Saints surrounding the Hon. Pussyfoot Johnson, who had just returned from London minus one optic.

INSPECTION of these works of literature, piety and art eventually palling, I ventured a little further exploration and unearthed another female. This time, a fat one. Her air, somewhat like that of a startled rabbit, gave me rather a guilty sensation. In League Headquarters, it seemed almost indecent to address questions to such guileless gals. But anyhow, oppressed by the massive silence and somnolence of the place, I craved action.

"Beg pardon, but isn't there *anybody* here I can talk to?"

The fat female thought that perhaps Dr. Cherrington's private secretary might possibly see me — which indeed she did, after I had been led up a creaking stairway of the ancient house. This house, like the other, had been transformed from a sinful private residence (in which perhaps even beer had once been drunk), and had been lustrated to the purposes of the League. Now it had become indeed an immaculate Holy of Holies.

Decorously Dr. Cherrington's private secretary received me, with perfectly refined explanations as to the absence of all executives. Her large brown eyes of untainted candor surveyed the universe and me through thick-lensed glasses. She was simply clad, and looked utterly sinless. Time, very much time, had not robbed her of illusions about the possibility of saving the human race, or the desirability of doing so by prohibitive measures. She had an expression of convinced sincerity that this wicked old world of alcohol and general cussedness yearned for salvation; that she had the 100 per cent formula to snatch it from the burning; and that if at all useful, she would gladly march to the stake.

As a fit background for this obsolete virgin, many shelves of books arose; shelves crammed with volumes, pamphlets and prints, all crucifying the Demon Rum; describing the combat between the Demon and the Drys; proving that the only hope for the Cosmos is joyless juicelessness, from pole to pole.

THE details of my interview with this exemplary person need not detain us. Freely I testify that the humanity-saving secretary made no attempt to convert me to the beauties and glories of The Noble Experiment. Probably the idea never even occurred to her that I stood in outer darkness and needed conversion at all. The mere fact of my presence there, of my interest in the saintly work at Westerville, must have convinced her that I was already one of God's Own Elect Cocktail Chastisers and Alcohol Annihilators, Inc. Neither did I breathe any heretical word, in her chaste hearing.

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My main impression of the interview is that any argument of ordinary, common horse sense would rattle from the League type of mind like birdshot from the hide of a phenomenally thick-skinned rhino. About all I gathered in addition was that the zealous Dr. Cherrington was a cripple, and that Dr. Russell was well advanced in his eighties — a brace of sprightly and debonairly bold Ithuriels, their lances tipped with the flame of a righteous and invincible zeal.

AT LAST, however, I began to yearn for male society, and —

"Isn't there any gentleman connected with these offices," I queried, "that I could talk to, about the work of the League Headquarters?"

"Well, there's Mr. Larimore, I suppose."

"And where is Mr. Larimore?"

"He was here this morning, but he's gone now. Maybe he's at home. But no, no; he wouldn't be there, would he?"

"Wouldn't he?"

"No. His wife is away at Magnetic Springs, taking the cure. And so he doesn't stay at home much, now. He might be at Emmy Lou's."

"And who, who is Emmy Lou?"

"A relative. He eats there."

"Oh! Could you 'phone, and try to reach him?"

The spinster 'phoned several places, but got no information. Neither the Larimore home, nor Emmy Lou's, nor any other domicile panned out any pay dirt of knowledge respecting the whereabouts of the elusive Mr. Larimore. So the damsel opined we'd better go gunning in person.

"He is possibly somewhere about town. We might just happen to run across him."

I signified my willingness to run across any official of the Anti-Saloon League. But how?

"There is a car outside that we can use."

A car! Fine! Running across such an official in a car — the heavier, the better — was certainly attractive. So the spinster and I got into the car. Somehow it seemed a bit improper to sit beside so irreproachable a paragon, but anyhow I did it. The lady's boots pressed all the starters and pedals and gadgets, but nothing happened. That was the car's day off. Like a man, it simply wouldn't fire or perform, under that urge.

"Let me try, madam?"

I assumed control. After a series of mechanical experiments, I induced the car to proceed. The obsolete virgin instructed me about signals and turns and things, all to be most carefully observed — for Westerville is very strict on traffic, even though it's only a village with the usual Main Street, a religious college and the usual sprinkling of churches.

THUS we proceeded on the Hunting of the Larimore.

But no Larimore was visible upon the streets, nor yet at Emmy Lou's. Emmy Lou's was all cluttered up, as to porch, with kiddy-cars, baby-buggies and infantile impedimenta. We pushed our way over and through these entanglements. Knocks and rings availing naught, the guiltless girl entered.

"Not locked, eh?" I queried.

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"Oh, no. We never lock our houses, here. Why should we?"

Godly and unusual Westerville! Blessèd art thou among cities, thou and thy Anti-Saloon League!

Refined investigation yielding no results, we finally retraced our course to League Headquarters. And there, behold, was the elusive Larimore, *in propria persona!*

A FAT, untidy, languid-looking gentleman was Mr. Larimore; a pale, unshaven gentleman; a gentleman who seemed a-weary, weary with this world; overheated, dejected, and on the whole rather indifferent whether school kept or not.

This listless person gave me a pulpy paw and invited me in to talk things over. He slumped at a desk and suffered with the heat. His lips sagged; I noticed that his tongue sagged, too, like a sick baby's. His conversation ran to the pathological. I wanted to hold high intellectual wassail *re* activities in the noble Domain of Drought; but he rather leaned toward gall-stones, arthritis and diabetes.

I found out a few facts, however, apart from the more intimate symptoms of his wife's case and his own. Facts such, for instance, as that Westerville has a population of 3,100; a city manager; and a record of such extreme aridity that the last attempt to start a saloon there was fifty-odd years ago, ending in disastrous failure.

I was told that Westerville is better known abroad than any other city in the United States — that is, of course, except New York and Washington. I learned that it has more names in *Who's Who* than any other city of the same size; and that — oh, fame of all fames! — it is the home of the illustrious Pussyfoot's own mummy-dry and monocular self.

Westerville, it seems, is likewise celebrated in every quarter of the world because of its abnormally high percentage of church-members; as well as because it shelters the universally-famous institution of higher culture known as Otterbein College, with 550 students all belonging to 17 religious denominations. "In the field of temperance, Otterbein College has been aggressive." So saith a pamphlet given me by the languid Larimore's own hand.

NOW that I'm quoting, here's some more from the same source:

> The moral tone of Westerville can not be excelled by any other place of its size in the United States . . . It is the Executive Headquarters of the Anti-Saloon League of America, with its various organizations, the Lincoln-Lee Legion, the American Bond, and the American Issue Publishing Company. The publishing house of the League was established in 1909, and from this small beginning it has grown to the largest reform publishing plant in the world. It has real estate, plant equipment and other assets approaching the valuation of a half-million dollars. It has an output of 40 to 50 tons of literature a month. The range of printing includes everything from a weekly paper to a 96-page magazine, and from a large book of many pages to a pink ticket. This is the more interesting when it is considered that everything printed has dealt with the Prohibition question in one form or another.
>
> *The American Issue* is the official organ of the League, and has an average circulation of over 1,000,000 per month. This, with all the other literature printed, if converted into book pages, would be equivalent to over 41,000,000 pages per month. In the offices, over 200,000 first-class letters are mailed out every month. The employees of these two institu-

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tions number over 200, with a total pay-roll of over $6,000 per week.

Westerville has a W.C.T.U. . . . If you are not so fortunate as to live in Westerville, remember when motoring through to pick out that little dot on the map, which marks "the biggest little city in America," and spend an hour with us. You will come again.

I SPENT several hours, and I will never return. If it came to a show-down, better be dead and respectably buried in some live burg, than alive yet buried in a dead one. Nothing in the world could be more appalling than continued existence in a holy hamlet like that.

The place looked hot, pious and weary; oh, extremely weary. The Anti-Saloon League offices looked bloodless, languishing. (If those statistics about publication are true, there's magic at work, somewhere!) The excellent Larimore's conversation about magnetic baths and uric acid and albumen and sugar rather palled on me, after a while; the more so as I had to stimulate the good man to keep him talking at all.

He appeared extremely tired, discouraged and adipose. So after a while I got up and departed.

A City of Saints, that's Westerville, Ohio; a place about as "human" in its spirit of good fellowship and cheer as a morticians' convention; about as hale, hearty and inspiring as a plate of cold bean soup and half a mouldy waffle for breakfast. The Anti-Saloon League, and its personnel and work, seem to me possessed of all the cheery, dynamic inspiration of a sculpin that's been dead about a week.

From one end of the works to the other, out there in Westerville, I couldn't discover any signs of activity whatever; nothing but a dank, tomb-like odor, a clammy desuetude, the flabbiness of completely dehumanized suppressionism. Nothing at all was happening there; nobody was doing a durned thing at all visible to the nude eye. (Not "naked" eye, please, in Westerville.)

AND yet, and yet — the little book says: "Forty to fifty tons of literature a month; 41,000,000 pages; 200,000 letters"; and branches all over the world; and everybody knows what the Anti-Saloon League has really done. The bootleggers, especially, are grateful for its beneficent activities. We have some idea of the amount of cash it's spending, the lobby it's maintaining in Washington.

We know its glorious record in fomenting lawlessness, bootleggery, law-breaking, disrespect for law; bribery of politicians by rum-runners and racketeers; in stimulating hijacking, poisonings, murders — and the hallelujahs of joy when a dry agent plunks cold lead through the liver of a suspected rum-toter.

We know something of the whiplash it cracks over many of our illustrious lawmakers; we have heard tell of it as the real, invisible oligarchy of these United States of America.

And yet — ! With headquarters and a personnel such as I found in Westerville, whence comes the amazing, autocratic force of this organization, that dominates the world's most powerful Government? Whence this tremendous strength?

"Upon what meat hath this our Caesar fed, that he hath grown so great?"

I'm asking you!

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THE LITERARY LANDSCAPE

by
HERSCHEL BRICKELL

ECONOMIC and financial prophecy having reached a new low since the current depression got under way, it is probably foolish to embark upon any attempt to forecast the course of events in the world of books during 1931. There are, however, certain signs on the horizon that seem to demand reading, not the least important of these the actual reduction in the size of spring lists. For several years it has not been possible for two publishers to meet without the question of overproduction obtruding itself; it has been obvious to all students of the situation that long before the slump a great many more books were being published in the United States than were being absorbed. Available outlets have been choked, booksellers sent to the wall through vain efforts to buy everything published, and the whole trade left in a state of confusion that has been, one regretfully states, more or less characteristic since publishing and bookselling were born.

Overproduction met under-consumption head-on in 1930 in the book business, as in many other businesses. There were some efforts at reducing output in the autumn of the year, but publishers work from six months to a year in advance—often longer — and so fall lists were about up to normal in size. But real reductions have now been put into effect, ranging from ten per cent up as high as fifty per cent, so that the general average will mean a very real cut in the number of books offered for sale during the first half of the present year. Almost inevitably this reduction will continue into the last six months, for even if there should be a sudden revival of business in the summer, there would not be time to make the indicated increases.

Much Less Fiction

THE principal cut is in fiction, for it has been fiction that has suffered the most in recent months. The output of second- and third-rate novels will be much smaller this year than it has been in any year since the War, and the Landscaper can see very little reason for tears in this state of affairs, although his heart is moved by the plight of disappointed authors. If laid end to end, the novels that have passed through the Landscaper's hands in the past decade that were of no consequence what-

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ever, and which were eternally forgotten within a week after they had been read, would reach a shockingly long distance. The reduction will probably touch the lighter type of biography, which has encroached very definitely on the field of fiction within the past few years; it is not likely to have much effect on the more solid types of books, for which there is a demand even in the dullest times, although, of course, it is not exactly increased by such periods as we are now passing through.

Perhaps the great sensation of 1930, the dollar-book experiment, is far enough away from us to allow a reasoned judgment of its success or failure. Since virtually all the publishers who tried it have given it up, and even the largest of the lot is laying emphasis upon books at the old prices, it seems apparent enough that the dream of being able to purchase all the new books fresh from the presses for a one-dollar bill is over; we have apparently awakened to certain fixed factors in the making and selling of books that not even mass production can dispose of. The reprint series are all doing well, and the outlook for their business is excellent; they offer fine values in books that have found public approval, and when people are pinched for money, there is every reason for the purchase of such volumes at $1 or less, in the place of experimenting with the new books at several times this low price. But it is also true that if the public gives up altogether buying the new books at higher prices, there will be nothing left to reprint. Then the reprint houses will be faced with the problem that keeps publishers' readers awake and turns their hair gray prematurely, namely, how to gauge the public taste in books in the first instance.

An Optimistic Forecast

THE LANDSCAPER is not looking for one tiny bit of silver lining in the enveloping blackness of the times when he says that on the whole the outlook for reader, publisher and bookseller is really full of encouragement; those who can weather the next six to twelve months and who are willing to remember the lessons learned during the hard times will be better off than they have been for a long time. A large part of the element of bunk that had crept into the business during the period of inflation is already gone, and the rest of it will have disappeared before we strike another rising market. So this prophet takes his place with the incurable optimists, and predicts that 1932 may easily be one of the best years in the history of the book business. Readers will probably find lists of a higher average quality, better produced and more thoroughly advertised.

Let none of the readers of this department take fright over the statement that spring lists are to be reduced. There will be many more books published than even the most assiduous reader can consume; indeed, the supply of fiction, reduced as it is, is already large enough to take most people into the summer, although the Landscaper is not ready to do any real hat-tossing over the stuff that has already appeared. By the time this number of the magazine is out, there will be some more interesting things available, such as, for example, Manuel Komroff's *Two*

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Thieves (Coward-McCann, $2.50), a successor to Mr. Komroff's long historical novel of last year, *Coronet*. The new book tells the story of the lives of the two thieves who were crucified on Calvary; by implication the life of Jesus is also suggested. The literary device is original and admirably handled. Mr. Komroff's fine narrative gift is at its best in this work, which is the most finished thing he has done, a novel of much more integrity and evenness of quality than *Coronet*.

Those who are interested in romantic America will find excellent reading in four stories of *Old New Orleans* by Frances and Edward Larocque Tinker (Appleton, $5), tales which follow Edith Wharton's four novelettes of Old New York. The New Orleans volumes are unusually handsome in appearance, and contain frontispieces from the collection of Pennell etchings. Each covers a certain period in the early days of the city, and preserves its distinctive atmosphere admirably. Mr. Tinker is already well known for his definitive life of Lafcadio Hearn and his novel of New Orleans, *Toucoutou;* Mrs. Tinker, who grew up in New Orleans, makes her literary début with her contribution to the quartette of stories.

The Better Hergesheimer

JOSEPH HERGESHEIMER'S *The Limestone Tree* (Knopf, $2.50) is easily one of the most important of the early novels of 1931. Mr. Hergesheimer writes here of Kentucky, telling the story of the family of one Gabriel Sash. The book is really a family chronicle, which moves against a background of a century of Kentucky history. It is authentic Hergesheimer and, to the Landscaper, the best novel he has done for a long time. There are few good novelists in this country whose work has swung through such wide circles as the work of Hergesheimer; he seems capable of some of the best fiction of our time, and some of the worst. The new book is good, belonging as it does to the tradition of *The Three Black Pennys*.

Some of the early importations of the season have their interest, although the Landscaper is free to confess that he would not classify any of the lot on hand as in any sense indispensable. Helen Ashton's *Doctor Serocold* attracted much attention to this competent young English novelist, whose new book is *Mackerel Sky* (Doubleday, Doran, $2). Those who recall Miss Ashton's first novel published in America, *Background for Caroline*, will find *Mackerel Sky* of the same order. It is a well-done, mildly interesting story, which one may take or leave without losing much time worrying over. Exactly the same thing may be said of Sylvia Thompson's *Portrait of Caroline* (Little, Brown, $2.50). There is not much to criticize about either book except a certain lack of distinction, that curious feeling that neither one matters very much and that both will slide out of one's mind at the slightest opportunity, never to return. The Landscaper respects the craftsmanship of the English authors who can turn out novels of this kind, but there isn't a kick in a carload.

Jacques Chardonne's *Eva* (Simon and Schuster, $1.50) is a French novel, written in the form of a diary, in which a novelist tells all about his

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wife. The book has a delicate charm, and is well translated, but it is over the edge for most Americans; the introspective analysis of a Frenchman in love is too alien to our temperaments to touch us very deeply. M. Chardonne is half-American, but his novel is wholly French. Norah James's *Shatter the Dream* (Morrow, $2), a story of every-day life in London centring around a love affair between a beautiful and unscrupulous married woman and an innocent youth, has a good deal more of the feel of life about it than some of the other novels mentioned in this paragraph. Miss James will be remembered as the author of the more or less sensational *Sleeveless Errand*. She is one of the best of the younger novelists writing in Great Britain at present.

The Domestic Product

Among the current domestic products will be found some rather odd specimens. Ben Hecht, after a respite from novel-writing lasting four years, has given us *A Jew in Love* (Covici-Friede, $2.50), a savage portrait of an Hebraic Don Juan, which, one fears, may be taken in certain quarters as a key-romance. Mr. Hecht has been at great pains to make his hero disgusting and, so far as this reader is concerned, has succeeded perfectly. There does not seem to be any special reason why one should wade through this account of the long and tiresome amours of this gentleman, even if one is able to put up with Mr. Hecht's style. It is difficult to determine just what he is writing, but certainly it bears very little resemblance to English prose.

George S. Schuyler's *Black No More* (Macaulay, $2) is a curious and amusing novel based upon the discovery of a serum that turns Negroes white instantaneously. Mr. Schuyler has hit upon an idea that gives him ample opportunity for the use of his satirical gifts; he knows his Harlem and is also familiar with the race question in this country. Without in the least laying claim to any literary importance, this book is entertaining and bright, and readers who have any interest at all in the relations between whites and blacks in this country will find it worth while. The novels of Mr. Hecht and Mr. Schuyler are both unusual; George Agnew Chamberlain's *River to the Sea* (Brewer and Warren, $2), a character study of a blossoming genius, against a background full of color, is much more conventional, but is well written and likely to please most readers of fiction who are looking for a good story that is not too full of "significance."

Plenty of Detective Yarns

In spite of the reduction in price of detective novels published by the Crime Club to $1, other publishers continue to ask — and apparently to get — $2 for books of this variety, and the new year is not lacking in offerings. J. M. Walsh, who is one of the best-known of the steady producers of detective yarns in England — he can turn out one any time in six weeks — is represented on the current lists by *The Black Ghost* (Brewer and Warren, $2), the story of a criminal who baffled our old friends at Scotland Yard. R. A. J. Walling's *Stroke of One* (Morrow, $2) tells the tale of the murder of Sir Henry

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Polsue, and is a good international yarn, with many exciting incidents, skilful character drawing, and a surprising conclusion. Ian Greig, author of *The Silver King Mystery*, has shifted his setting to China for *The Mystery of the Chinese Mine* (Holt, $2), which is one-half exciting adventure and the rest realistic Scotland Yard criminal chasing. Lovers of crime stories will find good reading in another of H. Ashton Wolfe's collections of real tales from his personal experiences and the records of Scotland Yard. The new book is called *The Thrill of Evil* (Houghton Mifflin, $3).

The biography shelf is unusually deserted at the moment, but the spring catalogues indicate plainly enough that there will be no lack of books of this kind by the time the season really gets under way. Just now there are only two life stories around, one Ralph Roeder's *Savonorola* (Brentano, $5), and the other, *Nelson*, by George Edinger and E. J. C. Neep (Cape and Smith, $3). There is perhaps little new in the Roeder life of the fiery preacher of Florence, but the story is always a good one, and should find readers in its present form. Messrs. Edinger and Neep have written their book to the theory that Nelson deliberately arranged his death in the hope of obtaining help for Lady Hamilton and their daughter, a sacrifice made altogether in vain, as those who recall the touching story of the death of Nelson's mistress will recognize. There is a fine irony in this neglect by the nation he had served so well of the woman he loved. . . . How much more it would have meant to him that Lady Hamilton and her child should have been cared for than that his country should elevate his effigy in Trafalgar Square! This is a simply and clearly told story of the life of a brave man, with considerable that is new and the eternal appeal of the more romantic aspects of its hero's career.

One of the Indispensables

ONE of the most important books of recent weeks is an autobiography, which comes very near to being an intimate history of the old régime in Russia as well, and which is filled with information, as well as the most appealing sort of human interest. This is *The Education of a Princess: A Memoir* by Marie, Grand Duchess of Russia (Viking, $3.50). Marie is the granddaughter of the Tsar, Alexander II, and the cousin of Nicholas. Her book, with its half-ironic title, tells the story of Russia's stormiest years, and is a truthful record of how one born to the nobility found herself confronted with an entirely different set of circumstances than any she had ever thought she would be called upon to face.

The Grand Duchess, who is now in her thirties and who makes her home in New York, has actually lived from one age to another, and she has suffered from no lack of skill in making her story most moving. The book has been published in most of the countries of the world, and is not likely to be supplanted for a good many weeks upon the list of recent indispensables.

After the Landscaper's report from Europe last month that events were moving as rapidly as possible toward another war, it is only fair to mention a book on the subject which contains

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not only the prophecy that there may soon be trouble, but which also adds that another war might finish civilization, at least on one continent, and which then goes further and points out ways and means of averting this catastrophe. This is *That Next War?* by Major K. A. Bratt (Harcourt, Brace, $2.50), with introductions by Nicholas Murray Butler and Wickham Steed. Major Bratt is a Swedish staff officer who saw a great deal of the last war, and who is also familiar with the progress that has been made since 1918 in the invention and perfection of machines designed to wipe out large sections of the human race. Major Bratt insists that moves for peace must become positive factors in world affairs if we are ever to get anywhere. His is an important book, and one wishes that it might be widely read, that even Mussolini might be persuaded to peruse the chapters that have to do with the possible effects of another general struggle. Readers who are interested in this subject will find two complementary publications of the Oxford University Press of interest. These are: *A Survey of International Affairs: 1929* with an introduction by Arnold J. Toynbee ($7), and *Documents on International Affairs; 1929*, edited by John Wheeler-Bennett and with an introduction by Sir George McDonogh ($5). Messrs. Toynbee and Wheeler-Bennett are both officers of the Royal Institute of International Affairs.

Not To Be Overlooked

BEFORE passing on to the consideration of a miscellaneous group of recent books, the Landscaper would like to call attention again to two fairly recent volumes that ought not to be overlooked. One of these is Major Yeats-Brown's *The Lives of a Bengal Lancer*, which has already been widely read, but which some who might appreciate it may have overlooked. It is a good enough book to buy; there is the quality of permanence about it. The Landscaper was re-reading it only a few evenings ago and found it even better upon a second perusal. The author's contacts with Yoga and his conversations with *gurus* are unusually interesting because he never surrendered his Western intelligence, however appreciative he seems of Eastern wisdom. The other book mentioned is Volume Three of Vernon Lee Parrington's *Main Currents in American Thought*, which is called *The Beginnings of Critical Realism in America, 1860–1920*. Professor Parrington did not live to finish this splendid piece of work, but even in its uncompleted state, Volume Three is quite as interesting as its two predecessors, and the whole opus is without any question among the most important studies of American culture ever undertaken — as a matter of fact the Landscaper would be willing to go a step farther, and say the most important study. It would be a pity for any intelligent American to miss this contribution.

An unusual book that will make its appeal to persons interested in psychology who have kept their minds open is Alice A. Bailey's *The Soul and Its Mechanism* (Lucis Publishing Company, $2), with an introduction by H. A. Overstreet. Mrs. Bailey undertakes to work out a relationship between Oriental explorations into the mystery of man's being, and

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the laboratory experiments of modern physio-psychologists and glandular experts. Hers is a level-headed and intelligent effort to show that there is some kinship. In so many fields just now are we discovering that science has merely taken the long way around to truths which have been known and accepted for centuries that some of us will be willing to give serious consideration to Mrs. Bailey's work. Mr. Overstreet is of the opinion that Oriental knowledge of the soul can not be spurned by Occidental scientists, which seems a sound conclusion; certainly not even the wildest flights of Eastern mysticism have exceeded the vagaries of our own Watsons and their test tubes.

A Book About the War

THE first book relating to the World War that has come this way since 1931 started is *A Château at the Front, 1914–1918*, by the Marquise de Foucault (Houghton Mifflin, $4), an account of the happenings at the Château of Pronleroy in Picardy as the tides of war ebbed and flowed about it, written by its chatelaine. It is a thoroughly worth while first-hand account of all aspects of war, written by a charming woman. One wonders what will happen to this year's war books after the sudden and complete cessation of interest in the subject last year. Perhaps the new book by Remarque, which will be published shortly, will serve as a test, although from glancing over a few of the chapters in advance, the Landscaper would not say that there is anything like the intrinsic interest in this volume that was found in *All Quiet*. It might have been better if the author had contented himself with his one overwhelming success.

Our Own Problems

WRITTEN from the neo-humanistic point of view, Hoffman Nickerson's *The American Rich* (Doubleday, Doran) is a thoughtful consideration of many of the current problems in this democracy, ending with a call to arms on the part of the wealthy young men of the country — or in other words, an appeal to what should be the aristocratic element in the nation's population to take up its share of the burdens of government and of social reforms.

Other books of varying appeal that have appeared recently are a new edition of Coulton's fascinating *Life in the Middle Ages* in one fat volume (Macmillan, $5.50); *An Anthology of Modern Philosophy*, edited by Daniel Summer Robinson and covering the period between 1500 and 1900 (Crowell, $4.50); *Your Vision and How to Keep It*, by H. G. Merrill Oaks and L. W. Oaks, a perfectly excellent handbook on the care of the eyes (Putnam, $1.50); *The Selected Poems of Thomas Walsh* (Lincoln MacVeagh-The Dial Press, $2.50); *The Negro Wage Earner*, by Lorenzo J. Greene and Carter G. Woodson (Association for the Study of Negro Life, $3), a competently handled sociological study, and useful for reference; and *Shakespeare's Problem Comedies*, by William Witherle Lawrence (Macmillan, $3), an examination of *All's Well that Ends Well*, *Measure for Measure*, *Troilus and Cressida*, and parts of *A Winter's Tale* and *Cymbeline*, with a view to explaining their origins and suggesting their contemporary significance.

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The Reader's Turn

A Department of Comment and Controversy

Comment

By M. R. Lawrence

As long ago as my high school days when I studied English Literature, I was told there were two magazines better than the others, magazines which demanded the best writers whose learning and opinion were authoritative. Those magazines are *The Atlantic Monthly* and The North American Review. As the teacher of literature said: "Both are good but I like The North American Review the better of the two. Depend upon these magazines for the best material printed outside of books. None but the most learned and the most capable men and women write for these monthlies. So avail yourselves of every opportunity to read all they contain. You will always find them in the Library." But the library was for the few whose lives were spent in leisure in America and Europe, so the teacher's advice was not helpful to all alike; and from that day, June, 1891, until this I have not had the privilege of reading The North American Review.

Comparative Values

By Ralph W. Burton

It would be my thought that a gardener should know the difference between flowers and weeds. He should also be able to distinguish between plant food and plant toxin. He should be able to pick the true variety of his chosen flower, be it bulb root or seed, from among sports or hybrids. Real knowledge would reveal the truth at all times.

Your "Landscaper" is, I take it, a glorified gardener, knowing all that a gardener knows and much more. Where the lowly worker among soils and seeds may have a general knowledge of conditions, the landscaper may know derivations, botanical names, etc.

Your Landscaper, however, is remiss in his function of distinguishing the true from the false. Individual opinions are not always correct. This is the case in your December issue, relative to the books on the life of Mary Baker Eddy. The one he dislikes most is the one which is authorized by the Christian Science Publishing Society, a body of people who may be better informed on that particular subject than some others.

Anyone who has subscribed to the Christian Science faith, who may have seen dear ones restored to health from dread diseases, who may know of the moral and spiritual uplift resulting from studying Mrs. Eddy's works, who may have seen failure turned to success from following her teachings—such a one will know that Dr. Powell does not err in his biography.

An Opinion

By George W. Dodd

I have long been an occasional reader of The North American Review and part of the time as a subscriber. Far from having no criticism to make of the magazine, I think it is one of the best in the country. Of course there are many articles in which I am not interested, but it has always contained some matter of appeal. One can not, of course, read all the good magazines, but for twenty years I have regarded this as one of the best publications in the country, both on account of the subject matter and the high quality of authorship. The mechanical make-up leaves nothing to be desired.

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